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**The case for a London-wide  
authority and agency  
responsible for burial and cremation**

**A project submitted to Middlesex University  
in partial fulfilment of the requirements for  
the degree of Doctor of Professional Studies**

**Ian Emir Hussein**

**National Centre for Work Based  
Learning Partnerships  
Middlesex University**

**April 2000**

## **REPORT BACKGROUND**

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This report was completed as part of a Doctorate in Professional Studies under the National Centre for Work Based Learning Partnerships at Middlesex University. The studies were supervised by Professor Derek Portwood and sponsored by the Corporation of London: the author's employer.

## **AUTHOR'S CONTACT DETAIL**

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Ian E. Hussein  
Director  
City of London Cemetery and Crematorium  
Aldersbrook Road  
Manor Park  
LONDON E12 5DQ

T. 0208 530 2151  
F. 0208 530 1563

**[Ian.hussein@corpoflondon.gov.uk](mailto:Ian.hussein@corpoflondon.gov.uk)**

**Please note that the views expressed in this report are mine alone and in no way represent the views or policies of any other individual or organization unless otherwise stated. Also, any errors or incorrect statements are my personal responsibility.**

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One of the great benefits of living in London as a 'researcher' must be the ready access to the British Library and the Guildhall Reference Library. These are two great British facilities that proved invaluable in the completion of my research work. To both institutions I am extremely grateful.

## ACKNOWLEDGEMENTS CONTINUED

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I am indebted to the help given to me by Giles Dolphin (Assistant Chief Planner – London Planning Advisory Committee), Martin Pilgrim (Chief Executive – Association of London Government), and Andrew Colvin (Comptroller and City Solicitor – Corporation of London) for taking time out in their busy schedules to discuss this report and for their advice and general comments.

Without doubt the completion of my doctoral studies over the last few years and, in particular, the completion of this report impacted upon my daily work. Fortunately, I have a first-class management team and staff who have been extremely patient and supportive of my studies – to all of them I am grateful. I also wish to thank Roger Watson, Director of the Corporation of London's Environmental Services Department, who encouraged me to pursue and complete my doctoral research.

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## EXECUTIVE SUMMARY

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Each year around 55,000 Londoners are buried or cremated within one of 122 municipal cemeteries and 17 crematoria. The 32 London boroughs, the Corporation of London and 7 borough joint committees and boards run these separately. This report was completed to determine whether there is a case for these 40 separate municipal agencies, and the one cemetery run by the Government's Royal Parks Agency, being put under a single London Burial and Cremation Authority.

The way in which municipal cemeteries and crematoria are run reveal myriad of problems that the current providers have not been able to address as individual burial and cremation authorities. The main problems faced may be summarized as follows:

- London is running out of burial space: by 2010 most of central London will have run out of space for new graves;
- The absence of any coherent policy and resources to deal with the hundreds of thousands of old gravestones that are dilapidated and unstable, making cemeteries unsafe places to visit;
- The deterioration of historic cemetery landscapes and a continual decline in the fabric and infrastructure of London's cemeteries, most of which date back to the nineteenth century;
- Annual deficit of £5M per annum on London's municipal cemeteries and crematoria;
- Inequality in burial and cremation fees and charges for Londoners.
- No pan-London strategic approach to the control of pollution from cemeteries and crematoria; and
- No career structure to facilitate professional development or to attract high calibre people.

These problems are inter-related and feed-off each other and have led to the idea of a single authority. They are also dated and no sustained attempt has been made to address them in a sensible and realistic manner. The absence of any Government response is put down to the fact that the disposal of the dead is a taboo subject with no political kudos. Cemeteries and crematoria became the remit of the London boroughs by political default and a political unwillingness to address strategically a highly sensitive public concern. This also occurred due to the relatively small nature of these services (in terms of physical size, financial implications and the number of people dependent upon the service at any one time) which are 'lost' in the massive scale of metropolitan local government. However, when considered on a pan-London basis, the important and significant role that municipal cemeteries and crematoria play, in the lives of Londoners and London *per se*, is evident. Their impact upon the urban landscape is formidable. Unfortunately, they are not seen or treated as such at the borough level. A third of Londoners come into contact with a cemetery or crematorium each year and ultimately everyone is dependent upon these services: they deserve more than they are getting and this is only likely to be achieved by the boroughs acting on a collective basis. .

Ideally, the provision of cemeteries and crematoria should come under the new Greater London Authority, which provides the right and natural platform for a pan-London approach. However, such a proposal has been rejected by the Minister for London and the Government Office for London, and would also be strongly opposed by the Association of London Government and the London Boroughs generally. Political reality dictates that any attempt to pursue such a proposal would be unlikely to gain the support and co-operation of the boroughs, which would be necessary for the initiative to work. For these reasons and on the basis that the proposal is unrealistic, the possibility of the GLA taking a major role in the provision of municipal cemeteries and crematoria has been discounted.

### Key findings

This report establishes a clear and strong case for a London Burial and Cremation Authority supported by an operational Cemetery and Crematorium Agency. These new organizations are needed to bring together the current fragmented approach toward the provision, management and operation of municipal burial and cremation facilities in our capital. These facilities are currently provided across the boroughs and desperately need strategic and long term planning on a pan-London basis.

These proposed organizations would bring the following main benefits:

- a) Strategic and co-ordinated provision of burial and cremation facilities;
- b) A strong voice and advocate for cemeteries and crematoria;
- c) More efficient use of burial space;
- d) A structure necessary to implement the reuse of old graves and memorials;
- e) Provision and coordination of Cemetery Management Plans;
- f) Protection and enhancement of historic cemetery landscapes;
- g) The best use of limited cemetery and crematorium management expertise;
- h) Career structure necessary for professional development;
- i) Equality in burial and cremation fees and charges;
- j) Sustainable financial management of municipal cemeteries and crematoria;
- k) Economy of scale in the procurement of goods, supplies and services; and
- l) A London-wide strategic approach to burial and cremation pollution control.

### Key recommendation

The Association of London Government should complete an urgent and comprehensive review of the future arrangements for the provision, management and operation of municipal cemeteries and crematoria and test the case for a London Burial and Cremation Authority assisted by a single operational agency.

## General Introduction: Intentions and Approaches of the Study

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This introduction provides the reader with an overview of the following research report which examines the case for a London-wide authority to be responsible for the burial and cremation needs of London's populace and, in particular, the capital's municipal cemeteries and crematoria. Firstly, the need for this research report requires some explanation. Since 1993, I have sought to champion an initiative to bring about the idea of the 'sustainable' cemetery: primarily through the introduction of the proposed reuse of old, abandoned graves. This initiative led to several major research studies and a recommendation by the London Planning Advisory Committee that the need for a London-wide burial authority and/or agency should be examined (LPAC, 1997:1). London's 122 municipal cemeteries (and one State owned cemetery) and 17 municipal crematoria, which between them each year conduct 55,000 burials and cremations, are administered by the 32 boroughs, the Corporation of London, 7 joint borough boards and committees, and the Royal Parks Agency. This fragmented approach has resulted in a complete absence of any strategic control or direction of the burial and cremation service on a pan-London basis. Researching the shortage of burial space, the London Planning Advisory Committee found a consensus amongst professionals and academics involved in burial and cremation within the metropolis that the existence of a London-wide authority and/or agency, responsible for cemeteries and crematoria, could prove to be a key factor in determining the success or otherwise of a London grave reuse strategy.

However, the acute shortage of burial space is just one of several major challenges facing the London boroughs as burial and cremation authorities. They need to find a way to address a myriad of problems associated with the gradual decline in the condition of the infrastructure of the capital's cemeteries, most of which date back to the Victorian era. These challenges also include the inequality of burial and cremation fees charged to Londoners; the unsafe condition of gravestones covering 1,300 hectares of land; ground, water and air pollution emanating from cemeteries and crematoria; and the general deterioration of the heritage, ecological and conservation value of cemeteries. For example, there is a distinct inequality between the subsidisation of burial and the non-subsidy of cremation (the income from which is invariably used to further subsidise burial) which needs to be addressed if Londoners are to be treated fairly. Such action has

not been taken and is unlikely to be taken under the current structural arrangements. The boroughs operate London's municipal cemeteries and crematoria with a combined annual deficit of around £5 million and the service is continuously competing with other vital front-line services, for example education, social services, refuse collection and leisure services (including parks and open spaces). In comparison to these services, the disposal of the dead is low on the political agenda and, as a consequence cemeteries and crematoria tend to be treated less favourably in the allocation of resources and are particularly vulnerable, especially during budget cuts. Yet the net cost of these services was only 72 pence per head of population in London for 1997/98. Alan Milburn MP (the former Minister for London) and the Government Office for London have both indicated that the proposed Mayor of London will not have any immediate remit for cemeteries and crematoria and have both encouraged the Association of London Government to take a lead in tackling the capital's shortage of burial space, which has not happened so far. The Greater London Authority and the Mayor will not have powers, under the GLA Bill, to set up a burial and cremation authority but they could be strong advocates for one. Similarly, the newly created Association of London Government provides another vehicle for the formation of a pan-London authority and an agency with policy and operational responsibilities for cemeteries and crematoria respectively.

This report will test the hypothesis that a London-wide strategic authority responsible for municipal cemeteries and crematoria would be better placed to address the problems highlighted in Part One of this report than is possible under the current arrangements. In particular, the research will examine the case for a pan-London 'strategic' burial and cremation *authority* and a pan-London burial and cremation *agency*. The basic issue is if different bodies are required for policy and operational purposes. Therefore, the research will focus on the advisability of establishing an authority, which would have a strategic and policy role and be driven from a political perspective, directing a subordinate agency, charged with operating the cemeteries and crematoria. The role of the agency being to follow the authority's strategic and policy initiatives. The report consists of five parts and the method used for each is explained at the end of this introduction.

Part One will set the scene with a brief account of the development of burial and cremation provision within the metropolis, placing current cemeteries and crematoria within an historical context. The role of the church and civic society will be explained, together with the influential roles of significant key individuals since the 1830s. The role of professionalism and the professional association upon metropolitan burial and cremation will also be considered and significant initiatives of the Institute of Burial and Cremation Administration assessed. An understanding of the current problems caused by past policies and their future implication is vital to our understanding of the challenges faced and the kind of structure needed to address them. In summary, the major problems associated with burial and cremation provision will be highlighted, their future implications considered, and possible solutions proposed.

Part Two will explain the role of the London boroughs as Burial and Cremation Authorities in the provision and care of London's cemeteries and crematoria and provide a snapshot of the current arrangements, how and why they came about, and what went wrong. The financial performance of the Burial and Cremation Authorities will be considered and comparisons made. The impact of a major Audit Commission report (1989) and compulsory competitive tendering will be analysed together with ideas on financial management strategies, and these will be placed in context of alternative service provider models that are to be developed at this stage. The shortage of burial space and the dangerously poor condition of gravestones within cemeteries are two major problems facing local government in London. These problems and their potential solutions will be discussed in greater detail. Essentially, this part of the report will take stock of the current physical and financial state of London's municipal cemeteries and crematoria and, in particular, examine the administrative, management and strategic arrangements in place.

Part Three will consider the potential impact of the Government's Best Value initiative upon London boroughs as Burial and Cremation Authorities and will also look at some examples of how they are responding to the process – including proposals for joint borough working and inter-borough partnerships. The development of potential regional and pan-London models for the future provision of cemeteries and crematoria will be considered, together with the impact of the new London Authority and the new Greater

London Association. Part Three will also develop the idea of a prospective London Burial and Cremation Authority and a London Cemetery and Crematorium Agency and give the results of feedback on these models from key stakeholders and policy makers.

Part Four will report on a series of case studies consisting of the Royal Parks Agency, the United Synagogue Burial Society and the Corporation of London's proposed Open Spaces Department. This part of the research is considered essential to test and compare theoretical models for any proposed London-wide authority or agency responsible for municipal cemeteries and crematoria. The agencies were selected for their size and nature of operation. The case studies and additional feedback, from stakeholders and key players are also considered to be essential at this stage to develop the models introduced in Part Three into 'preferred' models.

Part Five will seek to conclude whether London would benefit from a single authority responsible for burial and cremation provision with autonomous control over all municipal cemeteries and crematoria in place of the London boroughs, the Corporation of London and joint committees thereof. The report will aim to establish how such change could be best achieved and, in particular, whether co-operative arrangements between the boroughs in the form of a London Burial and Cremation Authority (assisted by a London Cemetery and Crematorium Agency) would work. If so, how and where the proposed authority and agency should be established will be considered. The possibility of their establishment under the auspices of the new Association of London Government will be considered.

The conclusions and recommendations will be based upon empirical evidence, any financial case made and the general arguments put forward in this 'work-based' research report. The conclusions and recommendations of this report will seek to establish whether there is a case for the commissioning of an independent review of burial and cremation provision within Greater London.

The strengths and weaknesses of the methodology used will be critically examined in each part within the context of its use and an overview of the report's methodology used will be provided in the concluding Part Five. The key research programme outcomes will be provided at the end of the report. An Executive Summary will bring together the

key findings, conclusions and recommendations of this research report. Finally, a separate Policy Report aimed at key decision makers within central and local government will be produced for publication by the Confederation of Burial Authorities, together with a shorter version in the monthly newsletter of the new Association of London Government.



A common theme running through my past research work and previous learning is my involvement in the proposed reuse of graves and attempts to influence UK public policy towards its implementation. This piece of work relates directly to the development of such a policy for London. My involvement in the reuse of graves led to the question- is a reuse of graves policy possible *without* a London Burial Authority or, at least, a policy framework that will facilitate its establishment and implementation? There has never been a strategic authority responsible for London's cemeteries and crematoria, which are provided by the 32 London boroughs, and the Corporation of London. This was recognised by the London Planning Advisory Committee which recommended that "*the possibility of a new London agency, authority or committee (as a Burial Authority) of a new Greater London Authority should be examined*" (LPAC, 1997). This report was designed with the aim of testing whether such an authority would also improve service provision and the strategic management of municipal cemeteries and crematoria and, if so, to find out whether such an authority is feasible. The following is an account of the methodology I used to examine the necessity and viability, or otherwise, of a London burial and cremation authority, or some other arrangement for strategic planning or policy in the provision, management and operation of cemeteries and crematoria.

A number of agencies have helped me to complete this research report - the London Planning Advisory Committee; the Cemetery Research Group (Institute of Research in the Social Sciences); the Confederation of Burial Authorities; the Institute of Burial and Cremation Administration; the London boroughs; Association of London Government; and one private cemetery and crematoria company. These agencies represent the key players that would have a role to play in the implementation of grave reuse and the formation of any London-wide authority responsible for cemeteries and crematoria. Therefore, research partnerships with these organisations will prove vital at various stages of this research programme. I will also rely upon my established professional role and status to provide the axis upon which to examine the viability of various models for a London burial and cremation authority and/or agency.

The research will be completed on a staged basis:

### Part One

The work will largely be based on an extensive literature review of the two principal subjects covered: the disposal of the dead in the metropolis and local government reform.

### Part Two

At a strategic management level, semi-structured interviews will be held with key individuals who have an expert knowledge in the work of London burial and cremation authorities, the problems they face and pan-London planning issues. Preparation for the interviews will include background reading on the subject matters and the interviews will be recorded using notes and quotes. This approach should provide a practical and cost-effective means of determining the views of key players.

### Part Three

This phase of the report will rely upon a three-pronged research approach:

1. A literature review of the Government's Best Value initiative including official publications, municipal journal articles, media coverage and local authority reports.
2. A review of the Greater London Authority Bill and associated reports, media coverage and professional journal articles, combined with analysis of the Review of London-Wide Bodies and associated literature and reports, together with semi-constructed interviews with key players of the organisations involved in the reviews.
3. The preparation of a prospectus for a London Burial and Cremation Authority and a London Cemetery and Crematorium Agency to be

circulated to the London boroughs for comment. The prospectus will be sent with a short questionnaire based on seven 7 propositions and one open question and these will be followed by telephone interviews to clarify and discuss feedback and chase non-responses.

#### Part Four

The fourth stage of this report will represent the findings of three case studies, based upon desktop reviews of the organizations, with site visits and semi-constructed interviews with key players. The issues to be examined will include the service, decentralization, centralization, administration, governance, accountability, costs, financial control, and staffing.

The legislative framework for these organisations will be examined, together with an assessment of the pros and cons of each case. The aim will be to establish the principles behind the respective organisations with the view of creating a generic base upon which a London-wide strategic entity could be established. This will involve examining existing structures and the extent to which they may provide a generic base for a London burial and cremation authority with specific consideration to the potential to fulfil strategic and operational roles. Using the feedback from key stakeholders and the Case Studies, preferred models for a London Burial and Cremation Authority and a London Cemetery and Crematorium Agency will be prepared.

#### Part Five

The concluding part will be based upon analysis and interpretation of the research findings of Parts 1 to 4 and any assumptions made therefrom. The preferred models will be tested using two groups based on cemetery and crematoria managers / providers, and elected members. Feedback will be sought through a questionnaire and selective interviews. The models will be compared and contrasted with existing provision and an evaluation made to test their credibility. The report will end with a summary of projected programme outcomes.

## **PART ONE - BACKGROUND**

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### **Introduction**

In the case of London's cemeteries and crematoria four factors have played a major role in setting the background to the current position namely: historical events; the efforts of key individuals; local government reform; and the impact of professionalism upon municipal affairs. Part One deals with the influences that these factors have had upon arrangements for the disposal of the dead in the metropolis. A knowledge and appreciation of these issues is fundamental to understanding how the current arrangements for burial and cremation in London were planned and arrived at. Changes during the nineteenth century are considered in greatest detail to reflect the considerable reforms that were introduced, particularly during the Victorian period. Although the disposal of the dead is an area of research that has lacked any significant attention and is generally sparse, it is possible to piece together the major events that influenced the development of cemeteries and crematoria – especially in London.

Part of this history is the development of the 'professional' cemetery and crematorium superintendent and registrar. Professionalism in the public service is a relatively recent phenomenon dating back only 160 years (Laffin and Young, 1990) and an association for officers involved in the provision of cemeteries and crematoria was established in 1913, with the aim of developing the role of the superintendent and registrar and gaining recognition for the specialist and professional nature of the job. The rise and fall of the post of superintendent and registrar is worthy of discussion because the extent to which professionalism has played a role in the provision, operation and management of London's cemeteries and crematoria is important and may influence future progress. To a large extent the role and status of the 'superintendent and registrar' has been determined by changes in local government reform and, in particular, the merger of small, autonomous 'professional' service departments into much larger departments (with the amalgamation of services of a similar nature). The problem for cemeteries and crematoria has always been the degree of uncertainty about the department in which to

put them and this issue could have an important influence upon their future designation either within or outside existing borough structures.

My methodology for Part One consisted of a literature review of the two principal subjects covered; namely organisational arrangements for the disposal of the dead in the metropolis and the creation and reorganisation of local government in London. The former of these subjects is an area of public service provision that has never been researched to any significant degree whereas the latter has been researched thoroughly with considerable primary sources of material being available. Literature searches were completed at the London Research Centre, City of London Guildhall Reference Library and the British Library. Additional material was obtained via the Cemetery Research Group based within the Institute of Research in the Social Sciences at the University of York and from the Institute of Burial and Cremation Administration. I also called upon considerable material that I had personally gathered during my career within the burial and cremation profession. Reference material included professional publications and annual reports of the conference of Burial and Cremation Authorities.

## **Major lessons from the history of burial and cremation in the metropolis**

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The earliest traces of dead people in England go back five hundred thousand years, although historians are only able to make general observations on formal burial practices using actual evidence that dates back to around 4000BC. However, it seems that the disposal of dead people was first influenced as much by spirituality as by the need to be rid of human corpses by burial, either in a cave or in the ground. From the beginning the disposal of the dead appears to have been treated as a domestic matter and this continued until the development of urban life when the practical problems associated with the burial of the dead in concentrated numbers became a matter of general public concern due to reasons of health. The Romans certainly took a more pragmatic view and they treated death as a potential threat to the health of the living, which they sought to protect by passing laws requiring the dead to be buried in cemeteries located outside towns and settlements (Ray, 1999). Christian churches and graveyards arose from the seventh century onwards (Daniell and Thompson, 1999) and their numbers increased to such an extent that by the eleventh century burial in a parish churchyard became the norm (Bullough, 1983). The church's monopoly over burial, which became an important source of income, had been established and grew with each century thereafter. Burial in the churchyard was modified from the eleventh century for the elite who preferred and could afford the higher charges for permanent burial within and underneath churches (Horrox, 1999). Whilst burial within a church was reasonably secure and permanent, burial in the churchyard was not. Bones were removed and placed in ossuaries to make way for new interments – the reuse of graves being a part of English culture until the nineteenth century (Morgan, 1999). When the Black Death arrived in London in 1348, two emergency cemeteries were established on the outskirts of the city, east and west of Smithfield, for its victims. These are the only known Black Death cemeteries, built for London, to deal with the catastrophe, which overtook the city for two years until 1350. It is believed that the foundation of these cemeteries was at the instigation of 'substantial men of the city'; and it is possible that their actions reflected the work of a corporate organisation. If so, this was probably the last time that the metropolis had a single, effective approach for the provision of cemeteries. In the year of 1666 the Great Plague brought death to the City to such an extent that over 500 bodies were buried weekly in

the Great Plague Pit at Bunhill Fields and the Great Fire of London displaced the population and destroyed 88 of the City's 108 churches.

Despite these events and proposals by Wren, Vanburgh and others to bury the dead outside London, the use of the old churchyards, through a parish-based burial system, continued for the next three hundred years with no attempt to establish a single metropolitan authority to control or co-ordinate burial throughout London. This state of affairs continued well into the nineteenth century with the churchyards being over-utilised to such an extent that the parish-based burial system eventually collapsed. With no public authority directing or providing burial provision, the private sector established seven relatively large commercial cemeteries in and around London between 1837-1841. Initially these cemeteries generated considerable income and profits for the shareholders but, as they became full and there were more graves to maintain than there were to sell they were left to fall into a state of disrepair. London was not alone in having private ventures seeking to profit from the provision of burial space (mainly for the middle classes). Around sixty companies had established cemeteries in Britain by 1850 and most of these failed as private enterprises and are now owned by local authorities or parish councils (Dunk and Rugg, 1994).

The majority of burials continued to take place in the old churchyards, and in 1840 and 1842 Select Committees heard evidence about the appalling state of the churchyards. In 1843 the Government's Poor Law Commissioners received a report on the subject, by the great sanitary reformer Edwin Chadwick, proposing a utilitarian scheme for national cemeteries that would be cleared periodically for reuse and regulated by the Church of England. However, Chadwick favoured public rather than private cemeteries declaring *'the common cemetery is not the property of one generation now departed, but it is the common property of the City'* (Chadwick, 1843). The first Public Health Act 1848 generally addressed the public health issues highlighted by Chadwick and others and initiated further changes that helped bring about the provision of public cemeteries through-out Britain and, eventually, in London. Despite England's population growing from 8,893,00 to 17,928,000 between 1801 and 1851, the Government, the Church and, in London, the City had obviously failed to address the appalling conditions that had been evident within the country's urban burial grounds for nearly two hundred years. As

a result of this inaction the nineteenth century saw the secularisation of death as a *'statistical and disposal issue that was considered more appropriately the responsibility of local government authorities and by the end of the nineteenth century the Church had lost its virtual monopoly in providing accommodation for the burial of the dead'* (Rugg, 1999). Certainly, from 1850 the history of burial legislation demonstrates transference of burial provision from private companies and the Church of England to civic control. An Act of 1850, passed 'to make better provision for the Interment of the Dead in and near the Metropolis' (13 & 14 Vict. c52), brought the metropolis under the auspices of the General Board of Health, which included Chadwick. The Board was granted powers for a limited period of two years in which time they were expected to provide cemeteries, fix charges for interments and set regulations for the management of the same. Unfortunately, the Treasury retained tight control over the finances and the proposed purchase of the existing joint-stock cemetery companies, which would have effectively nationalised all London's private cemeteries. This radical approach did not work out and after the nationalisation of just one cemetery, Brompton, the legislation was repealed in 1852. Further legislation in 1853 and 1854 eventually brought a virtual end to the parish-based burial system in London. The Burial Acts of 1852-57 helped resolve the burial crisis of the nineteenth century and established cemeteries that met the demand for burial into the twentieth century. Burial Boards established under the Metropolitan Burial Act of 1852, until further reforms in 1894 and 1899 initially provided new, large public cemeteries. In the capital, the London Government Act of 1899 created 28 metropolitan borough councils, which took over responsibility for burial provision from the Burial Boards, which had mainly been municipal concerns.

### The Growth of Cremation

Following the building of London's first municipal crematorium by the City of London, provision throughout the UK was dominated by the public sector. Even by 1918, ten of the 13 crematoria built in the UK were in local government ownership. Cremation remained lawful but unregulated until the passing of the Cremation Act 1902, which has remained (albeit amended) as the principal legislation for nearly one hundred years. Cremation regulations made in 1930 and amended in 1952 set out statutory requirements for the administration and management of crematoria and the cremation process.



By the 1930s there existed the Cremation Society of Great Britain (1874), the National Association of Cemetery and Crematorium Superintendents (1913) and the Federation of British Cremation Authorities. These organisations advocated cremation as the way forward in the interest of efficiency, economy and land use. Although cremation did not exceed 1% of the total number of deaths until 1932, by 1944 the rate had increased to 7%. The feelings during the 1930s-1940s were particularly centered on the shortage of housing which were summed-up by Captain Ellison MP in 1935 when he remarked '*the London County Council wants a Green Belt. Currently our cities have a white belt of cemeteries*' (Pharos, 1935). Phrases such as 'Land for the Living' and 'either cemeteries or playing fields' became the language of the pro-cremation movement.

The last crematorium to be built in London was the second City of London Crematorium in 1974 and London now has 25 crematoria: 17 public and 8 private, with a stabilized annual cremation rate of 71% (LPAC, 1997). The combination of promotion, provision, and the acceptance of cremation by the Church of England in 1944 and the Vatican in 1965, and the changing views in society generally brought about an increase in cremation to the current national average of 74% per annum (Jupp, 1991). This dramatic shift from burial to cremation saved a great deal of land within existing cemeteries, most of which would otherwise probably be full today.

For nearly the last thirty years local authorities have provided cemeteries and crematoria in accordance with powers granted under section 214 and Schedule 26 to the Local Government Act 1972 and The Local Authorities Cemeteries Order 1977 which set-out the general requirements for their provision, management and operation. The 1977 Order introduced powers enabling Burial Authorities to clear old, abandoned gravestones to aid cemetery maintenance and, thereby, reduce costs.

Most London boroughs implemented large scale 'clearance programmes' and converted old parts of cemeteries into the 'lawn style' that has been commonly adopted since the late 1950s. The cost of cemetery maintenance has been a considerable financial burden upon the London Boroughs throughout the last hundred years.

The cemetery scandal of the twentieth century occurred as a result of Westminster City Council's attempt to off-load such costs by selling its three cemeteries to a private company in 1987 for a token sum of fifteen pence. The cemeteries were asset stripped of valuable land and buildings and the maintenance of the grounds deteriorated. The sale was subsequently declared illegal and Westminster City Council repossessed the three cemeteries with the saga reputed to have cost the local authority £4.5M (at 1992 costs). No other authority has since sought to sell its cemeteries.

According to 'The Times' newspaper the nineteenth century reform was 'mostly' due to the efforts of Dr. George Alfred Walker who founded 'The Metropolitan Association for the Abolition of Burials in Towns' and who lobbied for the dead to be transported out of the City (The Times, 1850). From the previous chapter it is evident that Chadwick, who became the chief commissioner of the Poor Law in 1833, also played a major role in nineteenth century burial reform. However, the improvements brought about by the work of reformers, such as Chadwick and Walker, were more the result of a desire to end the unacceptable sanitary conditions of the time than a coherent plan to establish a model of best practice for strategic control over the disposal of the dead in the metropolis. The most ambitious proposal contained in Chadwick's 1843 report was the recommendation that all burials should be administered 'on one system' and that 'all public burial grounds and all arrangements for burial must be placed under a Government Commission of five members appointed by the Home Secretary'. Chadwick was effectively suggesting the *Pompes Funeres* system adopted in France. This approach has been a constant theme of several proposals for reform over the last 150 years and yet all such calls for change have been ignored – the question is why? Were these plans fundamentally flawed or over ambitious?

The simplest plan to address the nineteenth century sanitary problems would have been to close the old burial grounds and empower the parishes to open new ones further out but this was too gradual and too incomplete for Chadwick. There is evidence to suggest that the Government was not willing to support the utilitarian approach favoured by Chadwick for political reasons and that his plans were also rejected on grounds that they would be too costly. Chadwick's plans also came at a time when the political flavour of the day was decentralization. We know that the private sector's attempt to make cemeteries financially sound enterprises had failed and this may have concerned the government about the long-term financial consequences of establishing national arrangements overseen by central government. The interest and action in respect of burial had only been taken as a direct result of the link made at the time between the high mortality rate and the condition of the churchyards and this perhaps demonstrates

the extreme disinterest in this area of public service that existed at the time and which, to a large extent, has prevailed to this day.

Sir Arnold Wilson MP and Professor H. Levy published a landmark book on burial reform and funeral costs in 1938 calling for a full government investigation with a terms of reference to include: 'the amendment of burial and cremation legislation; the acquisition, regulation, control and layout of cemeteries and the fees chargeable therein; the functions and finance of burial boards; and the regulation of the funeral trade and the control, whether by the State or by local authorities, of the prices charged for services rendered by the trade to private persons and to official bodies such as local authorities and the Imperial War Graves Commission'. Significantly, Wilson and Levy called for the provision of 'a municipal funeral service similar to that provided in Switzerland, where burial and cremation have long been provided as communal services' (Wilson and Levy, 1938). Although Wilson and Levy were aware that a Royal Commission had in 1876 recommended that burial provision should be the responsibility of the State and that Lloyd George had considered including such provision in the first Health Insurance Bill, they did not go as far as Chadwick in their views and discounted the idea of the State taking responsibility for burial. But they suggested 'joint authorities representing all county boroughs and local councils within a county with power to charge their deficits to the general fund' maintaining that, if such arrangements proved practicable, they would 'greatly facilitate the acquisition of land for cemeteries, the relation thereof to town planning, and the erection of crematoria – the larger bodies could also afford to take longer views'. Despite examples of such caution the proposals put forward by Wilson and Levy, which included 'a full and partial official inquiry (the first and last having been completed in 1843) into the whole question of the disposition of the dead', the 'establishment by law of a Commissioner for the Disposition of the Dead', and County-wide approach to cemeteries, were obviously over ambitious. However, one key recommendation made by Wilson and Levy is of particular pertinence to this report: 'There would seem a *prima facie* case for the assumption of responsibility for all cemeteries now under the management of Metropolitan Boroughs by the London County Council' on the basis that 'this should lead to considerable economies in working and would reduce the burden on populous areas by making it possible to cover costs by levying a general (County) rate'. Sadly, this recommendation, along with all the others,

made no progress and the Wilson and Levy reform proposals slipped into the wilderness of burial and cremation history.

The National Association of Cemetery and Crematorium Superintendents, founded in 1913, with the ultimate objective to advance the administration of cemeteries and crematoria by *'fostering a fuller knowledge of the work required for their efficient management'*, published its *'Memorandum on Planning for Post-War Reform in the Disposition of the Dead'* in 1944. This major piece of work, completed during the harsh conditions of the Second World War, pointed out that *'the disposal of the dead is probably the only function in the welfare of the community, which has received so little attention'*. The association called for *'an impartial and comprehensive investigation of the conditions existing in the disposition of the dead'* (IBCA, 1944). The Memorandum concluded that *'the administration (of the disposition of the dead) has been left to the uncertain guidance of piecemeal, if not haphazard, legislation, which is both voluminous and inadequate. This has left the way open for many activities - which can only be described, as deplorable'*. The memorandum noted that *'wide ranges of charges for similar services exist in various districts, and even within individual towns where there are alternative burial facilities. There is, therefore, a particular need for standardisation of locally adopted scales and fees for burial and cremation, and ancillary services'*. Again, the call for reform seems to have sought too much too soon by suggesting that *'this public service should be regarded as an essential adjunct to the health and social welfare services of the nation, and one which should preferably be undertaken solely by municipal authorities. The operation of the service should be a compulsory responsibility of local government, with the obligation to undertake control of every function relative to the disposal of the human body after death'*.

The idea of a single authority for the disposition of the dead is again clearly evident in the memorandum:

*'The most efficient and economic service can be obtained by centralising exclusively in one department all administration relative to the disposal of the dead, with one specialised and experienced officer in this work in charge and directly responsible to a separate standing committee appointed solely for the management of the department. An immediate*

*improvement could be effected by the national regrouping of areas and the creation of joint boards. The Association recommends that the most effective area, for sound administrative and economic operation of a comprehensive service for the disposal of the dead is on which, as regards size and population, would at present be eligible for County Borough status. This would permit of committee management over a wide area, and would tend to promote a fuller and more progressive efficiency in the service than any other kind of local authority administration' (IBCA, 1944)*

The 'professionals' were calling for radical reform including the disposal of the dead as a national public service provided exclusively through local government via centralised services operated at a local level and like Wilson and Levy the professionals recommended the 'setting-up of a Government Committee for the purpose of completing an inquiry into the disposition of the dead' and 'a commissioner for the disposition of the dead'. Such radical calls for reform were again made in vain. Until now, no other calls for change have been made.

During the 1950s–1970s local government seemed preoccupied with structural reform, which culminated in the Local Government Act 1972. A subtle change in principle legislation in the form of section 9 of the Greater London (General Powers) Act 1976, which gave London boroughs power to reclaim the ownership of private graves not used for 75 or more years. This was brought about by Mr. Ernie Turner, Superintendent and Registrar of the City of London Cemetery and Crematorium, in 1969 and was the precursor to the consolidation of cemetery legislation in the form of the Local Authorities' Cemeteries Order of 1977 made under section 214 of the Local Government Act 1972. This legislation remains the principal authority for the operation, administration and management of municipal cemeteries.

The power to reclaim old graves does not permit the disturbance of human remains and further change is deemed necessary. In 1993 the annual conference of burial and cremation authorities passed a resolution in support of a proposal that legislation be passed to allow local authorities to disturb interred remains (under certain conditions) for the purpose of reusing old, abandoned graves (Hussein, 1993). Again, the proposals were initially deemed to be too radical by central government standards, although after considerable research funded by local authorities and lobbying, the Home Office agreed

to issue a consultation paper on the subject. Unfortunately, it seems that the Government's Central Policy Unit found the issue too sensitive and blocked the public circulation of the proposed consultation paper in 1999). Perhaps thereby giving a further example of the difficulty in bringing about significant policy change in the burial and cremation service.

One of the most significant developments of the twentieth century for burial and cremation authorities was the Charter for the Bereaved written by Ken West, with minor editing by the Institute of Burial and Cremation Administration (IBCA, 1996). The Charter for the Bereaved was the last landmark burial and cremation publication of the twentieth century. Initially, the publication was extremely contentious - particularly for funeral directors and embalmers who came under considerable criticism and who were concerned by the concept of local authorities facilitating funerals without the services of funeral directors. However, the Charter is now widely used as the benchmarking aid towards meeting the challenge of the government's 'Best Value' regime, and provides a minimum standard of service that could, for example, be adopted on a pan-London basis.

## **Greater London Government structure and organization - Impact of changes upon burial and cremation authorities: from 1900.**

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### What is London?

For the purpose of this research work 'Greater London' simply represents the current 32 London boroughs and the City of London.

### What is a local authority?

Local authorities are (with a few exceptions) corporations that are created by statute and as such their powers are defined and their scope of action limited by the principle of *ultra vires* which subordinates local authorities to parliament, and in many respects the government. In addition, a range of mandatory duties is imposed upon them, namely the Local Government Act 1963 and the Local Government Act 1972. These provide the bases of the current local government system and Local Authorities also take powers from local Acts. The Government is also a major factor in controlling and influencing local government in three ways – the determination of the statutory provision for the performance of some services; via a statutory responsibility for approving certain decisions by local authorities; and by acting in a tribunal role for others. Whilst there is no mandatory duty upon the London Boroughs to provide cemeteries (and some have chosen not to) they must maintain existing cemeteries to a reasonable standard. Under the Open Spaces Act 1906 the London boroughs are required to maintain the grounds, paths and boundaries of churchyards closed by Order in Council.

### Local Government Structure in the metropolis

At the start of the twentieth century there existed two levels of local government in London which consisted of the London County Council, formed under the Local Government Act of 1888, and twenty-eight London Metropolitan Boroughs established under the London Government Act of 1899, together with the City of London which had retained its relative autonomy, and still does. At the same level as the Metropolitan Boroughs were the counties, urban districts and rural districts that surrounded them.



Despite the changes brought in by the Acts of 1888 and 1899 Lord Balfour, Chairman of the Royal Commission on Local Taxation in 1901, expressed a view that has been repeated by many commentators ever since;

*'Although we pride ourselves on the possession of a system of local government which is less centralised than in the systems of other countries, the power of the state in British local government is very large, and has increased enormously with the growth of local administration and expenditure... Indeed it has become plain that the idea of central and local governments, to a large extent co-equal within their respective spheres... is in fact a mirage. In this country today, we are moving rapidly towards a system in which central government, by the final power of the purse, will have effectively destroyed the supposed, although immediately limited, autonomy of the local authorities'*

(Balfour, 1901).

Between 1900 – 1965 no major boundary change occurred in London and the structure of government remained in force until further local government reform in 1965. Through this relatively static period of local government structure municipal cemeteries and crematoria fell under the responsibility of a mixture of Burial Boards, Joint Boards and Committees, the Metropolitan Boroughs and the Corporation of London.

Although there was no significant structural change successive post-1945 Governments subscribed to a policy of giving greater freedom to local authorities from central control (despite the Attlee government being one of the great centralisers of civil power). On the one hand successive governments talked about decentralisation of power whilst, on the other hand, centralising. In the 1950s this may have been due to a general perception that local government had been inactive and lacked the necessary innovation:

*'There is no doubt that the social ideals of the whole community as interpreted by Parliament were far in advance of any enterprise shown by local authorities; the exceptions are almost negligible. Even where Parliament has made statutes giving permission for certain things to be done, local authorities have neglected hundreds of opportunities. The unprogressiveness in so far as it exists, is a condition of the mentality of the local community'*

(Finer. H, 1950).

The fact that the numerous London burial and cremation authorities made no effort to justify their structural arrangements or to rationalise those arrangements supports Finer's observation, particularly in view of the cross-boundary nature of burial and cremation provision within the metropolis. Further evidence is provided in the fact that four joint crematorium boards / committees were established in London between 1954-1958 raising the question – why did the local authorities involved not take the opportunity to establish a single joint committee for the building of crematoria?

The answer may lie in the structure of local government within the metropolis, which was criticised in a Government White Paper in 1956. The paper described the general structure of local government in England and Wales as having successfully stood up to the test of time whilst criticising the arrangements for London and concluded that 'no body with an overall purview of London as a region' exists and that this situation had arisen largely because 'the metropolitan boroughs were too weak administratively to implement major schemes'. At the time the provision of cemeteries and crematoria seems to have provided a good example of duplication of effort and gaps in service provision that may have been better addressed through the approach advocated in the Government's White paper.

A further White Paper in 1957 observed that whilst 'successive governments since the war have subscribed to a policy of giving greater freedom to local authorities from central control this was not made a 'sufficient reality'. This may have acted to undermine the confidence of London boroughs and deter them from London-wide partnerships for major schemes involving 'local services' – such as the construction of cemeteries and crematoria.

From 1938 the Conservative Party had been committed to the abolition of the old London County Council and generally welcomed the conclusions of a Royal Commission (1957-1960) under Sir Edwin Herbert that pointed towards a rationalised system of metropolitan government. Herbert's Commission criticised the organisation of London government for being 'untidy and full of anomalies' and found metropolitan government to be overlapping and full of either duplication or gaps in service provision. The report recommended a two-tier structure composed of boroughs which would have

all the services that could be 'sensibly run within a fair size area, with a top-tier authority to run functions that crossed borough boundaries'. Despite London's cemeteries and crematoria falling into this category, no attempt was made to amalgamate them under a single authority - possibly indicating that the parochial attitudes of the past were still holding back any potential benefits from a London-wide approach.

The service was also ignored in the reorganisation of London government in 1965, which created a new structure consisting of the Greater London Council, the City of London and 12 Inner London Boroughs Councils and 20 Outer London Borough Councils (as well as the numerous joint burial and cremation boards). Despite the cross-boundary nature of burial and cremation provision, cemeteries and crematoria still remained at borough level and the new structure persisted until the GLC's abolition in 1986.

#### The Radcliffe-Maud Reports on Local Government

Although London was outside the terms of reference of the Royal Commission on Local Government in England (1966-1969), chaired by The Rt. Hon. Lord Radcliffe-Maud, the report, which has been described as being 'the most thorough inquiry into local government' (Jones, 1985), had some significance for London's cemeteries and crematoria. Referring to miscellaneous functions, including cemeteries and crematoria, the Maud Report saw:

*'No technical objection to control of such services by the metropolitan authority, and we would not oppose a decision that, on technical grounds, some of them would be better administered by that authority. It may prove to be the case, for example, that the metropolitan authority should be responsible for cemeteries and crematoria. But where the matter is evenly balanced we would prefer to keep responsibility at the more local level'*

(Radcliffe-Maud Report, 1969).

An interesting point to note is that, whilst the Maud Report runs to 576 paragraphs and 146 pages, cemeteries and crematoria are only specifically mentioned in one paragraph (number 345). Nevertheless, Maud promoted the inclusion of all local government functions within a single structure in any one 'area' and, yet again, another window of opportunity for the reorganisation of the capital's burial and cremation authorities had been opened and subsequently lost through inaction.

### The Bains Recommendations on the Management and Structure of the new Local Authorities

The Bains report on the management and structure of the new local authorities established as a result of the Maud recommendations was commissioned by the Government. The report was produced by a group of seven people, mainly local government officers and published in August 1972. The Bains Report considered one of Maud's major criticisms of Local Authority affairs, which was the absence of unity in their internal organisation: specifically that "the separateness of the Committees contributes to the separateness of Departments, and the professionalism of departmental staff feeds on this separateness". Bains accepted this criticism and believed that the remedy went beyond any mere alteration of structural form.

*"Local Government is not, in our view, limited to the narrow provision of a series of services to the local community, although we do not in any way intend to suggest that these services are not important. It has within its purview the overall economic, cultural and physical well-being of the community, and for this reason its decisions impinge with increasing frequency upon the individual lives of its citizens"*

(Bains, 1972)

This was consistent with a general view of the time that such overall responsibility and the inter-relationship of problems in the environment required traditional departmental attitudes to give way to a more 'corporate' outlook. Bains maintained that 'changes in management structure or process must be justified in terms of benefit to the community and recommended that responsibility for burial and cremation should come under the Environmental Health and Control Committee. At the time the burial and cremation profession also supported this view. However, the Institute of Burial and Cremation

Administration submitted evidence to Bains highlighting the importance of siting crematoria and of the need for research into 'the needs and wants of the bereaved'. Bains suggested that this could be achieved by the setting-up of Joint Committees between the new authorities. An explanation as to why the creation of a single joint committee for London was not seriously considered or pursued at this stage, despite Radcliffe-Maud's suggestion, is not evident. Within the burial and cremation profession there was also concern at the potentially adverse effect of the proposed changes upon the post of 'Superintendent and Registrar'. Such concerns were well expressed by Burt in 1961:

*'In the interest of efficient government, which is fundamentally the primary concern of us all, I would warn against allowing Committees to grow too large in their functional embodiment, for then they become cumbersome and important matters by perforce of such circumstances tend to recede to unwarranted obscurity. The administering of a cemeteries and/or crematorium department....is a specialised function, too worthy to be absorbed amidst a myriad of other local government functions and I therefore would ask authorities likely to be so affected, indeed I would ask all authorities, to maintain the individuality of their cemeteries and/ or crematorium department'*

(Burt, 1961).

The structural changes of the 1970s reflected a trend that had accelerated through-out the 1900s. Between 1900-1974 significant services had moved from local to central government, for example the Unemployment Assistance Board (which became the National Assistance Board); hospitals (to the NHS under the 1946 Act); and water and sewage (transferred to regional water Authorities in 1974). These transfers resulted from the belief that the services were 'either national in scope or that the artificial boundaries of local authority areas constrained efficient operations, or that they would be better run by single purpose operations' (Jones, 1985).

London's cemeteries and crematoria failed to gain any such consideration and instead faced further change under the Local Government Act of 1972, which incorporated most of the recommendations made by Radcliffe-Maud and Bains. A further authoritative assessment of local government organisation concluded that services should operate across an entire area 'under the control of a single authority with its decisions being binding on all parts, with members of the authority having regard to the needs of the

wider area and not simply pushing the case for a section of it' (Jones, 1984). Jones suggests that 'the case for a large authority is sometimes made on the grounds that the needs of a part of the service, usually a specialised kind, require an extensive catchment area to provide a minimum population to sustain the service' and that 'it is unwise to allow the structure of local government to be dictated by the needs of only one part of a service, or indeed by the needs of one service alone'. Jones maintains that authorities would achieve better results through co-operation that emerges spontaneously at the behest of local authorities; possibly through joint committees that cannot overrule their component parts.

However, if services are fragmented to a number of joint boards, 'wasteful duplication could occur' (Jones, 1984). The London boroughs have not been able to achieve the kind of balance considered essential by Jones and many other commentators over the past century. Indeed, the boroughs have failed to achieve the model criteria of metropolitan government structure recommended by numerous agencies and government commissions despite a century that has seen change in local government structure almost every decade. This has led to an absence of pan-London co-ordination and co-operation between the boroughs, in their role as burial and cremation authorities, which has culminated in duplication of effort, gaps in service provision and no strategic plan for existing or future burial and cremation provision.

## Role of Professionalism in Cemeteries and Crematoria

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*There has been a tendency to regard our work as a discredited occupation. Long ago it was often the practice to appoint inexperienced or unskilled men who had lost their worth in other branches of public service or commerce. Fortunately, due to the increasing appreciation of the importance of the work, the appointment of such men has in later years become very exceptional; but there remains even today much evidence of the harm done in the past through carelessness in the appointment of personnel.*

(Turner, 1968)

Indeed, the work of a cemetery and / or crematorium manager is a specialised occupation that should be fully recognised as such. Turner maintained that central and local government should lead the way 'by ensuring that the service has a sound administrative and financial basis of operation, and thus make it a more attractive a profession'. Like Turner others have argued that more attention to the status, welfare and working conditions of the burial and cremation professional should be taken. Professor Henry Maddock had earlier described the importance of professionalism as 'most obviously missing in Local Government service in developing countries' adding 'professionalism of the service is the most important objective because from it the employee gains a sense of compulsive efficiency arising from the fact that there are standards established for doing the job' (Maddock, 1967).

*'If local government is to fulfil effectively its responsibilities for the provision of specialist services to the public, it must continue to be able to attract specialist officers of high quality and any internal organisation which interfered with or even seemed to interfere with professional independence of the major principle officers, would be a serious deterrent to improvement. Similarly, local authorities would need to take care in the organisation of their department so as to ensure that the lesser professions, as they may be called, were appropriately placed in a chain of command and given acceptable status'*

(Mallaby, 1967)

The ideals of Turner, Maddock and Mallaby were not aided by subsequent local government reforms. As Dunk and Rugg point out 'the specialised nature of cemetery work, the general taboo attached to anything relating to death, and the budget deficits accompanying cemetery maintenance mean that cemeteries sections have only limited status within many local authorities' (Dunk and Rugg, 1994).

Traditional professional competencies fell into decline with the increased size of local authority departments from the 1960s as the 'new problems of organisational leadership and management came to eclipse those of professional practice' (Laffin and Young, 1990). The loss of small autonomous departments across local government was the victim of the corporate approach that was the backbone of the principle arguments behind the local government reform of 1972.

The Local Government Act 1972 was based upon the assumption that a local authority should be a corporate entity of greater significance than the parts and all calls to protect and, where possible, enhance professionalism were swept aside in the drive towards achieving new structures that would nurture the corporate approach sought in the proposed reforms. Whilst the corporate approach enhanced the role of central departments viz. finance, personnel and information technology, the chief officer status of the service professional was devalued, including the post of 'superintendent and registrar' of cemeteries and/or crematoria. The old role of Town Clerk developed into the all-powerful 'Chief Executive' who centralised control through the formation of large corporate services and many small departments of old were merged during the 1970s and 1980s to form several large departments within each local authority giving a boost to the managerial professions whilst challenging the traditional public service professionalism.

Although professionalism in the public service is a relatively recent phenomenon, dating back only 160 years, an association for officers involved in the provision of cemeteries and crematoria was established relatively early 1913 – albeit some time after the construction of many municipal cemeteries. Even then the aim of the association was to develop the role of the superintendent and registrar and gain recognition for the



specialist and professional nature of the job, although the organisation was not union based.

However, in 1998 only five of the sixteen crematorium 'Superintendent and Registrar' posts, or the equivalent thereof, responsible for London's crematoria were professionally qualified. Whilst most were members of the Institute of Burial and Cremation Administration only five had passed the Institute's professional course of study. To a large extent the role and status of the 'superintendent and registrar' has been determined by changes in local government reform and the merger of small, autonomous 'professional' service departments into large 'corporate' departments combining similar service theme.

As previously stated, the problem for cemeteries and crematoria has always been the embarrassing uncertainty about which department to put them in and this issue has led to a complete inconsistency with cemeteries and crematoria being placed in every kind of department created so far – particularly leisure services and even cleansing. However, further research into this area is needed to determine whether these issues have adversely affected the cemetery and crematorium service and / or the status of the 'professionals' responsible for them.

## Summary and Commentary

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The disposal of the dead by earth burial presented no significant problem in London until the seventeenth century and between 700AD-1850AD most people were buried within a churchyard, and in London these were provided by over one hundred parishes. By the nineteenth century these relatively small burial grounds could not cope with the number of bodies needing to be buried and the poor sanitary conditions in the churches were worsened by the practice of intramural interment.

Despite the obvious inadequacies of the churchyards and the need to reform burial practices, the parish-based burial system prevailed and London remained a place unfit for burial from the seventeenth century until the latter part of the nineteenth century. As a result of reform between 1850-1900 responsibility for the burial of the dead was transferred from the Established Church to municipal authorities in the form of Burial Boards. Earlier attempts by private enterprise to resolve the problems through joint stock companies had failed and subsequent action to improve cemetery provision had only been taken to address the poor standards in basic sanitary conditions and once these had been resolved burial of the dead came off the political agenda – and has yet to return.

Although the public health problems of the nineteenth century created a sustained crisis in the arrangements for the burial of the dead there was no political will or context within which a sensible, cross-London approach could be taken – indeed there is no evidence that such an approach was even considered (with the exception of Chadwick's proposals for a national scheme). Effectively, the parochial nature of the parish-based system appears to have been carried-over into the formation of the municipal burial boards.

Movement to change these arrangements has tended not to coincide with any willingness, particularly on the part of central government, to foster any such progress. For example, Chadwick's concept of a centralised service clashed with the Government's policy of decentralisation.

The twentieth century saw the growth of cremation to such an extent that the process now accounts for 71% of all funerals in London each year and this appears to have helped delay any further crisis in terms of burial space within the metropolis – at least until now. London's municipal cemeteries, which are provided by the 32 boroughs and the Corporation of London, despite the relatively high rate of cremation, are fast running out of burial space (LPAC, 1997).

The history of burial and cremation provision is littered with lost opportunities to take bold steps and establish various 'models' of best practice. Numerous individuals and institutions, home and abroad, at various times over the past few hundred years have promoted the need for such progress. This has happened due to a failure on the part of central and latterly local government to take a London-wide perspective with regard to the disposal of the dead in the metropolis. Resulting in a complete loss of co-ordination and control over the planning, development, siting and provision of burial and cremation facilities across the capital.

Political terms of office are relatively short, whereas the problems facing cemeteries are of a chronic nature and ones that tend only to be noticed when 'chronic' becomes 'acute' – or when something has gone drastically wrong, such as Westminster City Council's ill-fated decision to sell its three cemeteries in 1987. Death is clearly a taboo subject in civic society and this condition has probably been a major factor in the poor attention paid to the disposal of the dead. The level of attention given to the service seems to have fallen over the years partly as a result of local government reform, particularly in London. The cemetery and crematorium department was always small in the scale of local public services and the creation of large departments in the 1970s and 1980s seems to have pushed the service into greater political obscurity.

Although there was evidence of a *prima facie case* for metropolitan control of cemeteries and crematoria and the suggestion in the Radcliffe-Maud Report that such an arrangement could be beneficial for London, opportunities were not taken when local government was reformed. Either the political forces failed to see the bigger picture, despite the many signposts along the way, or they had chosen to ignore what they saw. Consecutive governments have treated London as an 'organisational laboratory' (Scott

and Jones, 1972) and they have not been prepared or able to put in place strong local government for the metropolis, nor has any government taken the role upon itself.

As Merrian points out 'the adequate organisation of modern metropolitan areas is one of the great unsolved problems of modern politics. This is true of all large urban aggregations of populations of all countries, especially all growing cities' (Merrian, 1942). This is no more so than with regard to the arrangements for the capital's cemeteries and crematoria. Their planning, provision and operation, has been ignored and by default they have been caught up in a continuous process of local government reform and reorganisation; which has, for cemeteries and crematoria at least, been ineffective. In the case of burial and cremation, Scott and Jones are right to describe the problems of London's urban government as 'seemingly intractable' and urban government as 'part of a national system which at all levels participates in a variety of roles that depend on the nation's mix of institutions, traditions, history and other relevant factors' (Scott and Jones, 1972). Simply put, the majority of people want decent public administration from their local authorities – including cemeteries and crematoria.

There may be no perfect structure for local government and Jones is correct to suggest that any model will have both advantages and disadvantages and that 'the quest for an ideal structure is fruitless because any structure will inevitably be shaped by political motives' (Jones, 1985). But whatever structure is proposed, the cost and stress caused by any reorganisation should be outweighed by the anticipated benefits, and there is little point in 'tinkering'. These obvious points seem to have been missed – particularly in the case of cemeteries and crematoria.

As a Prime Minister once said 'It is axiomatic that anyone who speaks on local government reform, who does not have to, wants his head examining. Any government embarking on local government reform are likely to make more enemies than friends, both within their own party and on the opposite side of Parliament' (Harold Wilson, House of Commons, 6<sup>th</sup> July 1972). Cemeteries and crematoria apparently have the added disadvantage of not even being considered worthy of attention.

London has never had any strategic approach or control as a metropolis over the development, siting and provision of cemeteries and crematoria. That this fact has gone unnoticed for so long underlines the extent to which the disposal of the dead through burial and cremation has continued almost out of sight and out of mind of government. With the exception of joint committees, no single autonomous cemetery and crematorium department exists within metropolitan government. This and the placement of cemeteries and crematoria in often-inappropriate departments reflect the generally low status given to the service. These developments may have also had a detrimental effect upon the status of professional officers responsible for cemeteries and crematoria.

That the profession appears to have been unable to strategically influence the course of burial and cremation provision is also a reflection of the extent to which they and the service are apparently under-valued. Attempts by professionals to bring about change have latterly been aimed at addressing some of the worst effects caused by a lack of strategic planning and control rather than addressing the root causes viz. the shortage of burial space; the deterioration of cemetery heritage and the associated safety implications of unsafe gravestones; and environmental pollution.

Death comes to all and Londoners depend upon cemeteries and crematoria. Despite these facts, both central and local government have collectively let this vital area of public service down. Fortunately, only a small percentage of Londoners are affected by death at any one time and this key life event, whilst having a major effect upon individuals, has no adverse impact upon society.

Unfortunately, these factors, combined with the perception amongst elected members that there are no votes in cemeteries and crematoria, keep the service out of the political arena and, therefore, low down on the political agenda. Hence, the service is often referred to as the 'Cinderella' of local government. When change has been sought the demands for reform have invariably been too much and too radical for the Government of the day. This experience should dampen the natural desire to seek the ultimate solution overnight in favour of incremental change, which is likely to prove to be a more realistic approach.

In the case of burial reform, change should be considered in isolation of wider funeral reforms that have historically been sought. Hence this report has focused on municipal cemeteries and crematoria and has steered clear of private establishments, public mortuary provision and the funeral trade in general.

As one writer succinctly put it:

*'Politics is all about power and that is all it is about. And if it is about improving anything or improving any body's lot, that is necessarily secondary to its primary function which is to chase power, to gain it and then to hold on to it'*

(Pauley, 1984).

In terms of central and local government it would seem reasonable to assume, based on past evidence, that the cemetery and crematorium service is at a distinct disadvantage to most other local government services, against which it must compete for attention and resources. Previous pressure for change has not impacted upon the arrangements for the provision of municipal burial and cremation services within London. What has developed is the fragmented provision of an essential service with no real political recognition and this has adversely affected the status of the professional role responsible for the management of cemeteries and crematoria – the 'superintendent and registrar' – that was previously able to cope and fight its corner whilst small professional departments dominated local government structure.

The reorganisation of local government and the formation of large corporate departments, coupled with the taboo nature of the service, resulted in a dramatic decline in the status of the professional 'Superintendent and Registrar'. Today, the location of the cemetery and/or crematorium seems to have become an almost embarrassing lottery as to which department the service should fall under.

Some major problems have appeared as a result of the past and current arrangements for the disposal of the dead in London. These problems, which include a shortage of burial space in central London and an uneven distribution of burial space capacity elsewhere, seem to have arisen from a complete lack of strategic control or co-ordination. The

extent to which these factors have influenced and affected the provision and state of London's cemeteries and crematoria will be addressed in Part Two.

### **Observations on Methodology**

Although the subject of death has received greater attention from researchers in recent years their work has focused on sociological issues – few have looked at the role of municipal councils as burial and cremation authorities. The lack of relevant material presented me with great difficulties in concentrating on the primary aims of Part One – which was to place current provision in an historical context. The fact that very little has been written on this subject undermined the task in hand and made it difficult to comment on the development of public sector policy for the provision of the disposal of the dead in the metropolis. Fortunately, the quality of the limited material available enabled me to piece together a reasonably accurate account that sets London's municipal cemeteries and crematoria in an historical context whilst highlighting the major problems facing the London boroughs in their capacity as burial and cremation authorities.

## **PART TWO - THE CONTEMPORARY SCENE**

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### **Introduction**

Part Two examines and reviews London's contemporary cemetery and crematorium landscape and evaluates the extent to which this element of the capital's infrastructure has been influenced and affected by the lack of strategic coordination and control as highlighted in Part One. To measure the success or otherwise of past policies in respect of London's burial and cremation service I attempted to critically review the current arrangements for the planning, provision, operation and management of the metropolitan cemeteries and crematoria. In doing I hoped to be able to gauge the effect of past decisions and to project how well existing provision and planning meets anticipated future demand.

Determining such success, or otherwise, was necessary to help establish whether change is necessary and, most importantly, worthwhile – there is little to be gained from tinkering with a system if that system has achieved and continues to achieve the purpose for which it was established. Unless change will result in significant improvements that are worth the disruption caused then there is no justification for proceeding. There would be no point in proposing to change the current arrangements for cemeteries and crematoria in London unless there is evidence that what we have is not working and that there is a better alternative – these are the guiding criteria for Part Two: does the present system work and, if not, what are the alternatives?

The major problems associated with the disposal of the dead, by the practice of burial and cremation, facing London are addressed and considered in context of the current organisational arrangements for burial and cremation provision and the financial performance of the responsible burial and cremation authorities. These issues are considered on a borough-wide basis together with the implication for current and future problems on both an individual borough and on a pan-London basis. This is necessary in order to consider the advantages and disadvantages of the current arrangements and whether any better alternative models are possible and, if so, how they should be established and operated.



Part Two also looks at the current role of the boroughs as Burial and Cremation Authorities from a legal and public service perspective and the extent to which external agencies have commented on their performance will be considered particularly with regard to their financial performance. Essentially, Part two provides a snapshot of the current administrative, management and strategic arrangements in place for the provision of municipal cemeteries and crematoria in London.

The research approach for Part Two was based upon an extension of the literature review completed for Part One combined with semi-constructed interviews with: Giles Dolphin, Assistant Chief Planner for the London Planning Advisory Committee; Bob Coates, Chief Executive of the Confederation of Burial Authorities; Angela Dunn, Public Relations Officer for the Institute of Burial and Cremation Administration; and Chris Johns, Operations Director for the Crematorium Company. The expert knowledge of these individuals on the specific issues covered in Part Two helped to form an overall picture of the contemporary cemetery and crematorium scene and was considered essential to give a broader perspective than would have otherwise been possible through my assessment and interpretation alone.

## THE CONTEMPORARY SCENE

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### London's Cemeteries and Crematoria

*'If we look, we can see that the  
business of disposing of the dead  
is part of the urban landscape'*

*(Bradbury, 1999:6).*

London's 147 cemeteries occupy an area of space equivalent to the Royal Borough of Kensington and Chelsea. The London boroughs are responsible for 122 of the cemeteries that cover a total area of 1070 hectares and vary in size from under one hectare to over 70 hectares. Seventy-five of the municipal cemeteries date back to the nineteenth century and only 7 were constructed in the last fifty years. Clearly, London's municipal cemeteries are generally well established. The London boroughs also provide 17 of the 25 crematoria serving the capital. Annually around 20,000 burials and 35,000 cremations are received at the boroughs' cemeteries and crematoria. An estimated 1.8 million Londoners attend funerals at municipal cemeteries and crematoria each year and, therefore, these facilities represent a significant part of London life.

Over the last twenty years there have been numerous observations on the deterioration of municipal cemeteries, with a consistent theme being the decline of cemetery heritage and maintenance standards (Cultbertson and Randall, 1991; Pickles, 1993; Dunk and Rugg, 1994; Bowdler, 1995;) with particular reference to the neglect of London's older cemeteries (Mellor, 1981, 1985 and 1994; Brooks, 1989; Hussein, 1993 and LPAC, 1997). A second consistent theme of these writings is that cemeteries are a significant part of London's historic and architectural heritage and as such they have a great deal to offer society– they are not simply places for burying the dead. The opportunity to make use of cemeteries as 'amenity' sites is encouraged and reference is regularly made to the variety of mature trees and shrubs that can be seen.

A great deal of concern has been expressed about the decline of the Victorian cemetery landscape in particular and the establishment of numerous 'friends of cemeteries' groups seeking to conserve their historical, architectural and ecological value is an indication of the interest being taken particularly with regard to older cemeteries. In London such interest is largely focused on the most famous of the nineteenth century private cemeteries such as Highgate, Abney Park, Kensal Green and West Norwood.

Not only do municipal cemeteries cover a significant part of urban London – they make-up 8% of all the public open space within central London (increasing to 14% for inner London) and 65% of the land is in conservation areas (Halcrow Fox, 1997). Obviously, cemeteries have an important role in maintaining an open, green and leafy metropolis. Most of these cemeteries, particularly those in the centre, are well located and occupy land of potentially considerable market value. Despite these factors, in 1997 Halcrow Fox found that only four boroughs had included cemeteries in their unitary development plans. Such a lack of attention cannot simply be put down to a blasé attitude – generally speaking borough planners seem to lack the understanding or familiarity of the role and significance of cemetery space in an urban context necessary to make such a view possible. That London needs 50 hectares of new burial space each decade is an indication of the scale of demand for cemetery space. The London boroughs are left with a simple choice – continue to meet future demand by building new cemeteries or cease providing burial facilities.

A third of the London boroughs operate cemeteries outside their own boundaries viz. Brent, Bromley, Camden, City of London, Croydon, Hammersmith & Fulham, Haringey, Hounslow, Islington, Kensington & Chelsea, Lambeth, Wandsworth and Westminster. Between them these boroughs are responsible for 21 large cemeteries outside their own boundaries, accounting for 28% of London's municipal cemetery space. Half of these cemeteries were established between 1852-1893 in what were then relatively rural areas that were subsequently urbanised and the cemeteries surrounded by houses.

Most of the capital's cemeteries were established by municipal burial boards that were subsequently incorporated into the new inner London boroughs viz the City, Westminster, Camden, Islington, and Kensington & Chelsea, in the outer London boroughs viz. Barnet, Ealing, Enfield, Hounslow, and Richmond-Up-on-Thames. Barnet, for example, is home to four cemeteries belonging to Camden [1], Islington [1] and Westminster [2]. A cemetery for Lambeth residents was established in Wandsworth in 1854 and the absence of any forward thinking is evident in the fact that a new cemetery for the population of Wandsworth was subsequently established in Merton in 1891. A second new cemetery for the people of Lambeth was established in Wandsworth in 1893!

Eleven of the seventeen municipal crematoria are located within or attached to borough cemeteries viz. City of London; Croydon, Eltham; Honor Oak; Islington; Kingston-Up-on-Thames; Lambeth; Lewisham; Putney Vale and West Norwood. The remaining six crematoria are situated within their own grounds, viz. Enfield; Hendon; Mortlake; North-East Surrey; Ruislip; and South-West Middlesex.

The restructuring of local government and reductions in public expenditure during the 1970s and 1980s and the associated decline in expenditure resulted in considerable pessimism about the future of cemeteries that were articulated by Turner in 1977 who argued that such pessimism was justified and would continue unless the following three conditions for change were met:

*'The public becomes willing to meet the cost either directly through fees and charges or indirectly through local taxes; there is a shift of public opinion from self interest to common interest; and new legislation is introduced which is not based upon the notion that human remains and memorials are forever sacrosanct'.*

(Turner, 1977)

The outer London boroughs themselves have difficulty in finding locations for new cemeteries. For example, Redbridge, the largest of the London boroughs, was unable to find a suitable site for a new cemetery due to the adverse public reaction to all of the preferred sites. Eventually, the council settled for a site away from any residential areas that is not well suited for use as a cemetery.

The London boroughs operate and manage cemeteries under the provisions of the Local Authorities' Cemeteries Order 1977, which requires them to maintain cemeteries in 'good order'. They must also ensure that sufficient burial area within cemeteries is kept for general use (by all denominations). A considerable portion of the space within the borough cemeteries is consecrated and the land, therefore, also falls under the jurisdiction of the Church of England's consistory courts. The Order empowers the boroughs to grant exclusive rights of burial in graves for periods not exceeding 100 years at any one time.

## Profile of London Burial and Cremation Authorities

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London's municipal cemeteries and crematoria are run by forty-one separate agencies including the 32 boroughs, the Corporation of London and seven joint borough committees / boards, and the Royal Parks Agency, which is responsible for the management of Brompton Cemetery (the only one of the private cemeteries to be purchased by the government). The boroughs are defined as burial and cremation authorities under section 214 of the Local Government Act 1972 under which they are empowered to provide and operate cemeteries and crematoria. These powers are discretionary with regard to new provision and mandatory in respect of existing cemeteries and crematoria.

Every borough has some involvement and responsibility for a cemetery and/or crematorium, albeit in varying degrees. The need for boroughs to locate burial land outside their own boundary is recognised in the legislation, which permits them to acquire land, by compulsory purchase if necessary, outside their area. The evolution of burial and cremation authorities has largely been determined by the need to construct cemeteries and crematoria and, therefore, their organisation and structure is both fragmented and complex. For example, New Battersea Cemetery, which is located in the LB Morden, is the responsibility of the LB Wandsworth, and the crematorium located within the grounds of the cemetery is the responsibility of the North-East Surrey Crematorium Joint Board, which was constituted by the boroughs of Merton, Sutton and Wandsworth.

There has never existed a 'master plan' for the provision of cemeteries and crematoria and this is evident in the disjointed manner in which burial and cremation authorities were formed. The creation of these authorities was the result of a reactive response to immediate demand at a local level rather than the projected needs of London as a metropolitan city.

Nobody has formal responsibility for coordinating burial and cremation provision (Halcrow Fox, 1997) and there is no single agency that represents the London boroughs as burial and cremation authorities. The London Cemetery and Crematorium Managers' Forum is a talking shop that meets twice a year and was established for professionals responsible for the management of burial and cremation facilities in 1998. Although 26 of the boroughs are members of the Confederation of Burial Authorities (CBA) their membership is of an individual nature and they are not thereby represented as a group of burial and cremation service providers. Fourteen of the 17 crematoria subscribe to the Federation of British Cremation Authorities which, like the CBA, is an umbrella organisation providing no 'London' voice for the boroughs as cremation authorities. Although Halcrow Fox found the current arrangements 'diffuse' they concluded that 'they work' and that 'there would need to be substantial justification to support a radical reorganisation of burial and cremation services in London and it is unlikely that there would be political or professional support for a major reorganisation' (Halcrow Fox, 1997: 94). These views seem to be based upon the assumption that centralisation (which they presume would be inevitable) would negate the principle of local provision; that there is no financial case for a single provider; and doubt about the creation of a 'non-elected' body.

However, these assumptions are not supported with any evidence and appear to have been based upon personal opinion derived from limited anecdotal evidence. Halcrow Fox favour extending the role of the CBA and the London Cemetery and Crematorium Managers' Forum to reflect the interests of both public and private providers. However, the LPAC, which commissioned the Halcrow Fox report, rejected these conclusions in its Burial Policies that included a recommendation that 'the possibility of a new London agency, authority or committee of a new Greater London Authority, should be examined' to undertake strategic coordination of burial provision in the metropolis.

Over the last decade all crematoria in the UK have replaced their cremators and ancillary equipment in order to comply with the requirements of the Environmental Protection Act 1990 and the guidance notes issued by the DETR for the control of crematoria emissions. These guidance notes are now being reviewed and the Government has indicated that crematoria may be required to address the emission of heavy metals,

particularly mercury, and dioxins which are not adequately controlled by existing cremation equipment.

The Federation of British Cremation Authorities has expressed concern about the capability of existing crematoria to physically accommodate the abatement equipment that would need to be installed and the associated costs required in order to filtrate such pollutants from cremation emissions. The FBCA is currently surveying cremation authorities to assess how many crematoria face the threat of closure as a result of any new legislation. Five different manufacturers supply the 17 municipal crematoria in London, and the Government has indicated that cremation authorities would have up to 7 years to install the new equipment, which is estimated to cost up to £200,000 per cremator – excluding building and civil costs.

There are 60 cremators at London's municipal crematoria and at current prices the total cost of installing abatement equipment is estimated at £12M plus building and civil fees and excluding capital financing costs. In addition annual revenue costs are projected to rise by £5 per cremation i.e. £300,000 per annum across London. Although these costs are likely to be financed through higher charges some crematoria may not be suited for refurbishment and there may be benefits in the London boroughs, including the joint committees thereof, working together to complete a cross-London assessment of cremation provision in context of the need to control air pollution and the siting of crematoria in the interest of all Londoners.

The creation of a London Burial and Cremation Authority is likely to provide a more effective vehicle for completing an audit of London's cremation needs and the means to strategically plan for future provision. In terms of procurement alone the proposed authority would be in a far stronger position to achieve Best Value especially with regard to the acquisition of the new cremation equipment. Indeed, financial advantages in terms of the future acquisition of cremators and the maintenance of such equipment would be significant gains from a single purchasing authority. Other benefits would include single implementation of policies developed to the mutual benefit of the boroughs and, in particular, Londoners for example the siting of new cemeteries and the reuse of old burial grounds.



## Planning for burial space

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*A cemetery is like a small town. It has a substantial infrastructure, the complexity of which is easily taken for granted. The prize resource is the burial land that is served by and forms part of this infrastructure: burial space is the major commodity and source of revenue – it gives life to the cemetery and is the key element that must be sustainable.*

(Hussein, 1996)

The need to plan for burial space was addressed in early cemetery design proposals by the greatest British cemetery designer of the nineteenth century – John Claudius Loudon – who proposed converting cemeteries, once they become full, into parks and open spaces (Loudon, 1843). Others proposed reusing old graves for further burial after a predetermined period. However, the passing of a Burial Act in 1857 made the disturbance of human remains *without the proper authority to do so* a statutory offence and the practice of granting exclusive rights of burial in private graves has become the common practice. Inevitably, cemeteries run out burial space and in London at least most are now full (LPAC, 1997: 1).

The shortage of burial space in London has regularly been the subject of debate since the Victorian era and the problem has generally been ‘resolved’ by the building of new municipal cemeteries. The growth in wealth amongst the general population and the introduction of the lawn style grave made private graves more affordable from the 1950s and by the 1970s most burials were taking place in such graves where an exclusive right of burial was invariably granted. An increase in the purchase of perpetuity burial rights in private graves seem to have led to the introduction of legislation in 1974 limiting the maximum period for which the right of burial may be granted by a local authority to 100 years. This change effectively acknowledged that the selling of graves in perpetuity is not sustainable.

Further powers were granted to the London boroughs under the Greater London (General Powers) Act 1976 enabling the reclamation of private graves, granted in perpetuity, 75 years after the date of the last interment (provided there is space for at

least one more interment). These powers were granted in recognition of the fact that cemeteries were running out of burial space and followed a campaign led by the Corporation of London and supported by the London Boroughs Association (now part of the Association of London Government). However, few London boroughs have exercised these powers: possibly due to the resources and considerable administrative work involved.

In 1993, following the presentation of an address on the shortage of burial space in London cemeteries to the Annual Conference of Burial and Cremation Authorities passed the following resolution: 'That this conference endorses the London Borough of Newham's initiative in proposing the reclaiming and re-use of old and abandoned graves in cemeteries' (Hussein, 1993). This initiative led to a partnership, between Hussein and Dr Julie Rugg of the Cemetery Research Group at the University of York that resulted in the completion of a major research project into public attitudes to the proposed reuse of old graves. The research findings suggest that 62% of people are likely to support the reuse of graves (Davies and Shaw, 1995: 51) and the concept has since been endorsed by the IBCA's Charter for the Bereaved, the Confederation of Burial Authorities and the National Funeral College's Citizen's Charter for the Dead. Despite this support and the demonstrated need for grave reuse, the Government has made no attempts to introduce legislation to facilitate the initiative.

A further report into the shortage of burial in London revealed that the metropolis is fast running out of burial space and concluded that the reuse of graves would largely resolve the problem (LPAC, 1997: 14). LPAC issued nine burial policies for sustainable cemeteries and suggest that the problems facing London's cemeteries might be best addressed on a London-wide basis.

The shortage of burial space has remained a topical issue that continues to receive media attention. For example, the disturbance of post- second world war graves to make way for luxury flats and the shortage of burial space in London are two of the issues that recently received considerable press coverage (Daily Mail, 23<sup>rd</sup> March 2000; Evening Standard 22<sup>nd</sup> and 23<sup>rd</sup> March 2000. The Evening Standard editorial took the following line:

*'We report today on the crisis in London's cemeteries: three boroughs have entirely run out of burial space and, if present trends continue, half of the others will do so within the next decade. As our survey shows clearly, if the capital is overcrowded for the living, it is far worse for the dead. No government will risk being accused of desecrating graves, and politicians must understandably tread warily before entering such a sensitive area; but as the law stands, the Home Office has to give permission each time anyone intends to disturb human remains, and it is in the power of Jack Straw to ease cemeteries' acute space problems. In the short term, the Home Office could make a sensible adjustment to the archaic rule that burial sites may be reused only after 75 years – in France; for example, it can be as little as five years. In the long-term and without offending religious sensibilities, people who state any sort of preference about what happens to their remains should be encouraged to opt for cremation rather than burial; it is more ecologically friendly and much cheaper. In the third millennium, the time may have come to question the assumption that the dead have automatic rights to occupy much prized space often needed by the living'.*

Editor, Evening Standard 23<sup>rd</sup> March 2000.

Since the 1950s most municipal cemeteries have almost exclusively operated new burial areas on the 'lawn principle' whereby the memorial is restricted to a headstone only and the length of the grave is laid to lawn. This concept was introduced to ease cemetery maintenance, to increase the number of grave spaces per acre of land used, and to achieve a tidy appearance through uniformity similar to that evident in cemeteries operated by the Imperial War Graves Commission. In addition, most of the London boroughs set-about converting the old traditional type of memorial on private graves – that invariably consisted of a headstone and kerbs attached to a landing covering the entire area of the grave space – into the lawn concept. The practice of clearing old memorials, which is adequately covered elsewhere (Dunk and Rugg, 1994), led to many old memorials being completely dismantled and laid flat on or sunken into the ground (or removed completely). Dunk and Rugg found evidence of pressure to reduce ground maintenance costs, a lack of appreciation of the heritage value of old grave stones and cemetery landscape, and a general failure in local government to treat cemeteries as significant services: which they concluded were contributory factors to such clearance policies. Dunk and Rugg also concluded that 'such policies constitute a wasted opportunity and causes irreparable damage to both the historical and ecological value of cemeteries and that these problems would initially be best resolved by the incorporation of conservation training in the professional course of study for cemetery managers' (Dunk and Rugg, 1994; 19 & 93). The clearance of memorials was deemed to be a good idea by professional cemetery managers and burial authorities and was, therefore, encouraged and widely adopted. In London the policy was implemented on a borough by borough basis rather than as a pan-London strategic approach. However, the borough wide problem and the reactive approach that was adopted in an almost fad-like fashion may not have happened had the issue been considered on a pan-London basis.

Dunn's research (1999) into the management of gravestones highlights the key problem areas for burial authorities, namely: safe design and erection; impact upon ground maintenance; and the stability of the gravestone. Dunn's findings should raise considerable concern amongst burial authorities, including the London boroughs, about

the dangers that unstable gravestones pose to the public within cemeteries and burial grounds under their control. In particular, the general absence of inspection procedures for the erection of new gravestones and the stability of existing gravestones is alarming. Dunn's recommendation that burial authorities should establish inspection procedures and establish policies and plans to tackle the remedial work identified are endorsed by the Confederation of Burial Authorities and the Institute of Burial and Cremation Administration. However, this is an old issue and one that has been the subject of numerous debates within the burial profession and at annual conferences of burial authorities for the past 50 years. Dunn found that few authorities are taking action to deal with the problems associated with unstable memorials.

## Financial performance

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*'No ground in the Kingdom is now sold so dear as a grave'* (Sir Spelman, 1641)

Nineteenth century reformers maintained that the high cost of burial contributed to prolonged and unhygienic delays in the burial of the poor and this fuelled their argument that cemeteries should be provided by the State. The financing of burial has since been an emotive issue that has received minimal financial scrutiny with only two significant critical reviews being completed – the work of burial reformers Wilson and Levy in 1938 and the Audit Commission in 1989. Burial Boards were given powers to charge for the services they provided and the fragmented nature of charging that subsequently developed has been the subject of debate ever since. In 1937 the Clerk to the Tottenham and Woodgreen Burial Board found considerable variation in charges for the upkeep of graves in municipal cemeteries and these were 'more than five times that paid by the Imperial War Graves Commission (Wilson and Levy, 1938: 107). At the time Wilson and Levy, who found the problem to be most severe in urban areas, called for an official inquiry into cemetery charges claiming that cemetery superintendents had 'no guidance and no encouragement from any central authority and little facility for comparing costs' (Wilson and Levy, 1938: 114)

The Audit Commission described cemeteries and crematoria as 'essential local authority services affecting millions of people each year' in its 1989 paper on the management of burial and cremation facilities in a competitive environment. The Commission found that cemeteries were operating with substantial deficits and that there was a general absence of any rationale in charges. The Commission avoided proposing a charging rational and opted to provide a series of questions that should be addressed by any local authority in the setting of fees and charges. These questions centre around policy decisions that should be made with regard to burial subsidy, any differentiation in charges for residents and non-residents, the shortage of burial space and the establishment of future maintenance funds (Audit Commission, 1989:7). Local authorities should, when setting fees and charges, determine, as a matter of policy, whether cemeteries and crematoria should be subsidised. The case, if there is one, for

any such subsidy has not been articulated in recent years and there is anecdotal evidence to suggest that managers are frustrated at the stance taken by elected members who oppose fee increases and support budget reductions whilst agreeing to cut expenditure on cemetery services. The desire to keep fees and expenditure low has invariably resulted in a decline in the quality of service provided.

The Commission's subsequent report concluded that there are 'problems and opportunities for improvement' that arise because 'the officers in charge of particular establishments are not sufficiently closely linked to senior officers or to appropriate members' committees'. The report also concluded that 'the provision of these essential services does not always attract a great deal of member interest or involvement and can, in consequence, lack top-level support or the will to operate more efficiently and effectively. In this service, as in many others, attitude and morale are critical to staff performance. A positive attitude, and high morale amongst staff, will be encouraged if they believe that members are interested and concerned about the quality of the service for which they are responsible' (Audit Commission, 1989:10).

In 1997-98 net expenditure on cemeteries per head of population was £1.02 in London, with total expenditure amounting to £15.427M, excluding capital charges. 65% of this expenditure was financed through fees and charges and £5.4M funded from local taxation. Capital charges of £1.181M brought the total annual net expenditure to £6.583M. Total expenditure on municipal crematoria (figures not available for Breakspear, Islington and Lambeth) amounted to £6.767M, including capital charges, with income of £8.25M generating a net surplus in excess of £1.482M. The net expenditure, therefore, on municipal cemeteries and crematoria was £5.101M in 1997/98; the equivalent of £0.72 per head of population and £83.62 per funeral conducted.

In a survey of municipal cemetery charges in London (CBA, 1998) the 'resident' fee for a new grave and the first interment ranged from £448 to £1660. Although these fees relate to lawn graves the period of the right of burial granted varies considerably from 30 – 100 years (11 boroughs lease graves for 75-100 years; 5 for 60 years; 13 for 50 years and two boroughs lease graves for 30 and 40 years). Using the period of lease granted

and the total inclusive fees it is possible to establish an annual fee in respect of the sale of exclusive rights of burial and the first interment. This 'annual fee' provides an effective cost-based benchmark for comparison purposes. Each borough has a different fee ranging from £5.57 to £56.10 per annum; with the average being £14.38. There is rather less variation in cremation fees, which range from £189 to £280 – with an average fee of £220.

Susan Kramer, the Liberal candidate in the London mayoral race, claims that 'the cost of dying in London is soaring under Labour' (Evening Standard, 4 January 2000). Although this claim is based upon research completed by Kramer's 'campaign team', the data published was inaccurate and the claim that higher charges are caused by a lack of central government funding unsubstantiated. Significantly, this attempt to score political points was neither refuted nor challenged by Kramer's political opponents and this is an indication of the degree of ignorance and/or a lack of interest amongst politicians in the disposal of the dead and, in particular, about the financial management of public cemeteries and crematoria. There is evidently a lack of consistency in the setting of fees and charges with considerable variation across London and whilst cemeteries are subsidised cremation is not – indeed in most cases cremation income is used to further subsidise burial. Therefore, the majority of residents choosing cremation subsidise those who opt for burial and this is being done directly via charging structures and indirectly through local taxation imposed by the London boroughs. There is generally a lack of appreciation or understanding of such financial arrangements, particularly amongst the public and elected members, and the issue has not been subjected to any significant debate.

Nearly all of the London cemeteries operate with substantial deficits and, in most cases, where the respective local authority also operates a crematorium any surplus from cremation is used to off-set the cemetery service's deficit. The Audit Commission's 1999 briefing paper states that the government's Best Value initiative 'provides an excellent opportunity to use charges to deliver priorities, improve services and generate income' and that 'charges have a significant role to play in the achievement of a range of council objectives, from corporate priorities for social inclusion or the environment, to health of the population. Charges have a central role to play in service delivery: raising



income; controlling access; responding to competition; funding investment; and affecting user behaviour' (Audit Commission, *The Price is Right? Charging for Council Services*, 1999). These comments, which are in keeping with the Audit Commission's 1989 report of cemetery and crematorium income, suggest that municipal burial and cremation authorities will be expected to review their charging policies and implement charging rationales that are consistent with the principles of the Government's Best Value regime.

A recent landmark ruling by a VAT Tribunal determined that 'given the specific legal regime within which local authorities operate their cemeteries, the provision of burial services is a non-business activity' (Ernst & Young, 2000). This decision means that all VAT costs incurred in the operation and maintenance of cemeteries are fully recoverable and do not count towards the authority's 5% ceiling for exempt input tax. These could become important factors that may influence future financial strategies with regard to cemeteries and crematoria with the possibility of increased member interest in their financial status. Due to the fragmentation of burial and cremation provision across the 41 agencies involved the financial opportunities created by the definition of cemeteries and potentially crematoria as non-business activities are unlikely to be maximized in the interest of Londoners. In fact, there is the possibility that in the event that the boroughs deal with the VAT change differently the Inland Revenue against the boroughs in individual appeals could use their approaches in argument.

## Summary and Commentary

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In addition to providing an essential public service the capital's municipal cemeteries and crematoria represent an important part of London's landscape. This is mainly due to their number and spread across the metropolis, particularly for inner London where cemeteries provide a significant contribution towards open space. Since the nineteenth century the provision of municipal cemeteries and crematoria has been steered by immediate demand rather than deliberate planning with relatively few cemeteries being built in the last fifty years.

Although the historic and environmental benefits of the capital's cemeteries should be enhanced and conserved, the London boroughs pay little attention, as planning authorities, to their use and their potential impact as open space, with even less attention being paid to their role as burial and cremation authorities. The absence of a London-wide plan for the disposal of the dead and the management and provision of cemeteries and crematoria has contributed towards the development of a fragmented approach in the role of local government as the principal burial and cremation service provider for the capital. This situation has been exacerbated by strategic authorities viz. Central government, the London County Council, the Greater London Council and the London Planning Advisory Committee, failing to take a lead in the siting of cemeteries and crematoria and the strategic provision of burial and cremation facilities.

Although 26 of the London boroughs are members of the Confederation of Burial Authorities they conduct their roles as burial and cremation authorities in almost complete isolation of each other and any co-operation that does occur is invariably officer led through individual membership of the Institute of Burial and Cremation Administration and, latterly, the London Cemetery Managers' Forum.

Nearly a third of the burial space owned by the boroughs is situated outside their own respective boundaries, and the cemeteries are invariably within a neighbouring borough. Despite the boroughs not being under a mandatory duty to provide new cemeteries, they have, with the exception of Tower Hamlets and Hackney, chosen to use their discretionary powers to do so.

The boroughs have established new sites as and when required and, where necessary, outside their own borough. Higher burial fees are made for non-residents primarily to deter them from using burial space, which is particularly scarce within inner London. The resident / non-resident fee structure and an absence of any charging rationale has created a situation whereby Londoners pay a different fee for burial according to the borough cemetery used with a 1000% difference between the lowest and highest fees. Cremation fees vary by up to 50% depending on which one of the 17 municipal crematoria is used. This inconsistency in charging creates an unfair system for Londoners with burial subsidy going to all rather than being targeted to those who genuinely need financial support in meeting funeral costs (which is in any event provided through the Social Fund).

A further inequality arises from the cross-subsidy of burial through surpluses generated by municipal crematoria and the use of these funds to reduce cemetery deficits (as opposed to higher burial fees). There is no evidence to suggest that this situation is the result of deliberate policy making. Rather, this inequality seems to have arisen through the absence of any such policy making taking place and due an absence of any charging rationale along the lines proposed by the Audit Commission in 1989.

There is considerable variation in the financial performance of cemeteries and crematoria with most cemeteries and a few crematoria operating with annual deficits – although the majority of crematoria generate substantial surpluses. The net cost of operating municipal cemeteries and crematoria is estimated at £5.5M per annum at current prices or the equivalent of a net cost of £92 per funeral (equivalent to 5% of the average total cost of a funeral). The application of a cross-London charging rationale, based upon a burial and cremation authority / agency model operating on a self-financing basis, could introduce equality in burial and cremation fees and eliminate the total annual deficit for London's municipal cemeteries through relatively minor increases in fees and charges (with an average increase of £92 per funeral).

The boroughs could retain the option of subsidizing burial and cremation provision for their residents by utilizing the subsequent savings for that purpose. This would at least be a direct result of clear policy making as opposed to the currently process, which

seems to be the result of decision by default. Alternatively, they could re-direct any savings towards other services.

Most cemeteries are full and although there is ample evidence to suggest that the proposed reuse of old, abandoned graves would make them sustainable the initiative has been stalled by inaction on the part of central government. This situation has not been helped by the absence of a strategic, coordinated and influential pan-London agency, that is representative of the boroughs as burial and cremation authorities and has the capability to pursue major policy initiatives. This lack of support and the failure to coordinate policies is made worse by the disinterest of elected members in the burial and cremation service.

The recent acceptance by the Inland Revenue that cemeteries are non-business activities may raise the profile of cemeteries with regard to their potential impact upon corporate management of VAT. Nevertheless, municipal cemeteries and crematoria are a significant part of London's infrastructure that is undervalued to an irresponsible level; largely due to the failure of central and local government to recognise and appreciate the importance of burial and cremation facilities to civic society. The result is an apparent blasé approach towards vital public services that has expressed itself in the absence of any pan-London strategic approach for the control and coordination of the disposal of the dead by burial and cremation. There is ample evidence to support such criticism: the failure to provide sufficient burial space where it is needed; the poor condition of the general infrastructure of London's cemeteries and the absence of any coordinated plan to conserve their historic and ecological value; the fragmented arrangements for the provision, operation and management of municipal cemeteries and crematoria; and the inequality of charging for burial and cremation across London. The need for such London-wide planning is bound to grow. For example, the proposed controls to deal with the emission of mercury and dioxins from crematoria are bound to seriously test the viability of London's municipal crematoria and the capability of local government to meet the subsequent challenge of ensuring adequate cross-London provision. This kind of issue should be addressed on a pan-London basis in the interest of London as a metropolitan city and those who depend upon public services provided by their local government.

## **Observations on Methodology**

I have co-operated with the interviewees for over five years on issues surrounding burial and cremation provision in London – particularly the shortage of burial space – and the Corporation of London co-sponsored research work with the LPAC (which was part-completed by Dr. Julie Rugg). Therefore, the issue of bias is a serious one. However, the individuals were interviewed for their specialist knowledge of the specific subjects covered in Part Two and this needs to be weighed up against the danger of bias. In any event, the views of the interviewees are largely substantiated by research evidence produced elsewhere (Dunk and Rugg, 1994; LPAC, 1997).

## PART THREE : CHALLENGES AND OPTIONS

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### Introduction

The government's Best Value initiative impacts greatly upon Local Government and will influence the way in which all services are provided and organised. The approaches being taken by the London boroughs, with regard to Best Value implementation, have serious implications for burial and cremation services and these are compared and examined in context of the need, or otherwise, for cross-London co-operation and/or control of such functions. In addition, any potential for greater cross-borough co-operation and/or control is considered. Best Value is a complex management and an organisational tool designed to establish the best way of providing a municipal service. This tool is substantially based upon the application of four central government principles namely – *Challenge, Comparing, Competitiveness and Consultation* (referred to as the 4Cs) and their application designed to test all local government services, including cemeteries and crematoria. Therefore, the process is likely to prove useful in determining the best way to provide such services. The implementation of Best Value is actually under-way and the manner in which the process is being dealt with in respect of cemeteries and crematoria is examined and compared. This was necessary to help establish the potential impact upon the proposition of a pan-London burial and cremation authority and /or agency, developed at this stage.

There are two other major changes affecting London local government –the creation of the Greater London Authority with an elected Mayor and the new, enlarged London Government Association. Both of these developments could potentially affect cemeteries and crematoria and, therefore, they also require close scrutiny. Part three looks at these changes in the London-wide scheme of local government and reviews their impact upon the boroughs as burial and cremation authorities. The concept of a London-wide arrangement for burial and cremation provision and the management and operation of cemeteries and crematoria was subjected to close scrutiny and critical analysis by key stakeholders, including cemetery and crematorium managers and elected members, who were asked to comment on the proposition of a London Burial and Cremation Authority and /or agency, and the extent to which it would address the key

problems already identified viz. Lack of strategic planning; inequality of charges; shortage of burial space; management of memorials; conservation of heritage and ecological value of cemeteries; and, implementation of environmental controls, particularly with regard to crematoria. The outcomes of this process were reviewed for feedback into the development of preferred models for a London Burial and Cremation Authority and Agency as shown in Part Four.

This research report has so far concentrated on examining current provision from a historic perspective i.e. how did we get to this stage? I have looked at how we can mould what we have into something better. Whilst this approach is inevitable there was likely to be some advantage in taking a completely new look at an 'ideal' structure - starting with a 'blank page' - so to speak. Part Three takes an approach using the concept of a responsive model based upon current theoretical thinking on ideal organisational design and management structures that have proven and successful track records.

Research for Part Three consisted of a review of literature on Best Value, the new Association of London Government and the Greater London Authority, including the necessary legislative changes - which are considerable. Interviews were held with key players that are either involved in the formation of these new bodies or have an in-depth knowledge of the same. A prospectus for a theoretical London Burial and Cremation Authority and Agency was prepared and individually circulated to the forty-one managers responsible for municipal cemeteries and crematoria in London. The prospectus was accompanied with a number of propositions based upon information contained in the prospectus and the managers invited to respond. An open question seeking the general views of the managers was also included. These documents were pilot-tested with four managers and then personally addressed to all participants, with a covering letter explaining the purpose of the exercise. Follow-up telephone calls were made to those who had not responded within six weeks.

## CHALLENGES AND OPTIONS

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### The Government's Best Value Initiative

*'I want councils to deliver the services  
which people want, in the best possible way'*

(Prime Minister, 1998)

Best Value is a manifesto commitment by the Government which seeks a continuous search by councils to improve the quality, efficiency and effectiveness of all local government activities for the public. Therefore, the Government has placed a statutory duty upon all councils to achieve these goals and continuous improvement thereafter. From the outset of taking office this government has expressed a view that local government is failing to deliver acceptable standards of service and, as a result, decided to impose a duty to 'deliver sustained improvements in the quality and quantity of service that people want at a price they are prepared to pay' as set-out by the Local Government Minister (Municipal Journal, 6/3/98:29).

Essentially, the Government wants the quality and price of services to provide the key indicators of what is the 'best' in terms of the services provided to people at a local level. Little attention has been played to the sustainability of the requirement to achieve 'continuous improvement' and the extent to which the concept may be demoralising to local government staff who have been subjected to change for the past thirty years. On the one hand local government is expected to reduce expenditure and on the other achieve performance equivalent to world class organisations that know how to blend quality and value management (Municipal Journal, 18/9/98:17). Successful companies tend to incorporate the key values of empowerment, innovation, learning and change; the latter occurring naturally from within the company and which should not, therefore, be compared with change forced upon companies by external factors that are driven by political decisions rather than pure market forces.



The previous government reduced the cost of providing local government services via the contracting-out of works, through a process of compulsory competitive tendering, largely of building and maintenance works. However, although it is a legitimate and useful mechanism for choosing the best supplier for a service. Competition is not in itself a panacea. Unfortunately, the cynicism that has evolved in local government over the past 30 years has created a general perception that Best Value is the friendly face of a policy drive to extend the privatisation of traditional local government services – a case of the Emperor's New Clothes.

Such views are strengthened by Government 'clarifications' such as Best Value being about 'breaking down the boundaries between the public and private sectors in local service delivery: public provision where that is most efficient; private provision where that is more appropriate; and partnership wherever that is possible in practice' (MJ, 31/10/97:5). Without a definition of the term 'more appropriate' in context of the procurement of services a wide interpretation is possible. In any event the suggestion that replacing the word 'competition' with 'partnership' would have local government officers thinking in less adversarial terms (Denison, 1999) seems naïve. Davidson is right to describe Best Value as the 'real meat' in the central government's modernisation of local government and that the process is fundamentally about the public getting an opportunity to say what they want and to direct the delivery of the same through consultation (Davidson, 1999).

Under the 'challenge' requirement of Best Value the London boroughs must ask themselves why they are providing cemeteries and crematoria and whether someone else could provide them better: they must compare their performance as burial and cremation authorities; they must consult with service users – the public; funeral directors; etc; and they must show that they are competitive.

The present Government has moved away from the crude tool of CCT that had little to do with quality and everything to do with the saving of money. Best Value seems to want to achieve a balance between these two measures – taking the best bits of private sector efficiency and grafting them onto public sector philosophy and if that does not work to procure the service from another provider – public or private. The Best Value

process requires London Boroughs to prepare a Local Performance Plan that should address the key services and cut across departmental and committee boundaries. For example, in the case of cemeteries and crematoria, the registrar of deaths, and the mortuary service, there may be an opportunity for 'joined-up' working and the provision of a one-stop 'bereavement' service. Best Value is perceived as being a tougher regime that, unlike CCT, applies to all services and is based upon an assumption that competition is the best way to procure value for money. The entire process is subject to external auditors who will compare services using established performance indicators – for example in the case of cemeteries: the number of burials / total burial costs; graves maintained / staff hours; memorial shrubs maintained / costs of doing so. There are of course considerable flaws in making such comparisons and these have been highlighted as a major concern amongst local authorities.

Ultimately the London boroughs will be judged not only by their outputs and outcomes but also by their ability to maintain and develop a rolling programme of improvements and the Secretary of State has the power to intervene where services are considered to be failing. A key feature of Best Value is the requirement for local authorities to 'participate with other authorities in sharing performance information and experience' (DETR, 'Next Steps' circular 25/7/1997). They are also required to complete Best Value reviews on a five year rolling programme. Both improvement and review are continuously under the Best Value regime.

Local authorities, including the London boroughs, are applying the Best Value regime in their own way and there is evidence of a great deal of variation in the methodology used. For example, in the case of the boroughs of Camden and Islington an independent consultant has been appointed to review the cemetery and crematorium operations simultaneously with a remit to examine the potential benefits of a merger of the services into a joint committee. The LB Barking & Dagenham, the LB Havering, the LB Redbridge and the Corporation of London considered this approach in respect of a new cemetery in the area of Hainault. However, the initiative failed due to a combination of factors including the LB Havering's disinterest and a disagreement between the boroughs of Redbridge and Barking and Dagenham over the proposed financial arrangements for the financing of the new cemetery. This provides a good example of

the difficulty in getting cross-borough agreement, particularly when finances are involved. The LB Lewisham is reviewing the cemetery and crematorium service in conjunction with other bereavement services including the Registrar of Births, Deaths and Marriages and the council's one-stop centre. The LB Barking and Dagenham is completing the Best Value review of the cemetery service as a single entity. This inconsistent approach is occurring across London.

## **Greater London Authority and Association of London Government – implications and potential impact upon cemeteries and crematoria**

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The Greater London Authority (GLA) will have specific powers and duties covering transport, economic development, police, fire and emergency planning discharged through pan-London agencies i.e. 'functional bodies' e.g. Metropolitan Police Authority. The GLA also takes over responsibility for three of the eight existing pan-London bodies – the London Ecology Committee, London Research Centre and the London Planning Advisory Committee. The GLA's general powers will include 'improvement in the general environment in Greater London and a duty to have 'due regard' to the effect of exercising such power on the 'health of people in Greater London' and the 'achievement of sustainable development in the United Kingdom'. The Secretary of State may extend the GLA's functions and at the heart of the GLA will be an elected Assembly of 25 members who will be able to scrutinize the Mayor's actions and 'conduct investigations into London issues generally'. This provides a wide-scope for the Assembly to be drawn into pan-London issues – possibly including strategic planning of burial and cremation services, particularly in light of the shortage of burial space and the air quality control with regard to emissions from crematoria.

During the consultation period leading up to the formation of the GLA a meeting took place between the LPAC, CBA and the Government Office for London (who drafted the Greater London Authority Bill), to discuss the proposal for a London-wide authority responsible for cemeteries and crematoria. The Government Office for London and the Secretary of State subsequently took the view that the GLA would have higher priorities to tackle than the shortage of burial space. This approach was based upon the view that the general powers to be granted to the elected Mayor and GLA would allow action to address any pan-London burial and cremation issues if there was evidence that they were not being adequately addressed by the boroughs.

The Mayor of London will also have the power to develop and approve strategies for London dealing with a range of issues including strategic planning, biodiversity and air quality. These are topical issues for cemeteries and crematoria that the Mayor may

eventually be drawn to – although, of course, cemeteries are likely to be low down the Mayor's list of priorities – assuming they are even on the list. The Mayor will be required to develop a spatial development strategy taking account of the overall land in London and although this will primarily focus on major planning schemes some interest may be shown towards proposed cemetery sites – particularly where they are contentious. A strategy must also be produced for air quality in London and, again, emissions from the 25 crematoria in London, including the 17 run by the boroughs, are likely to come under consideration – particularly with regard to heavy metals such as mercury. Significantly, the duty upon the Mayor to assess and report on the 'state of London's environment' and to produce a 'state of the environment report' and a 'London biodiversity action plan' may also place private and public cemeteries and crematoria under the pan-London spotlight.

The GLA Bill empowers the Mayor to 'cooperate with other public authorities or bodies, or to coordinate or facilitate the activities of such authorities or bodies on a London-wide basis. This might include, with the agreement of such authorities or bodies, providing a related specialist service which would be of benefit to London as a whole' and the GLA is able to do 'anything which is incidental to the exercise of its functions, including its functions under clause 27'(GLA Bill, clauses 27-28; 1998). These new general powers open the door to a pan-London approach to the strategic control and coordination of cemeteries and crematoria which constitute a specialist service that could, if provided under one umbrella, be of benefit to London as a whole.

The five existing London-wide bodies which will are not being transferred to the GLA, namely the Association of London Government (ALG), the Greater London Employers' Association, the London Borough Grants, the London Housing Unit, and the Transport Committee for London, are collective bodies representative of the London boroughs. The boroughs decided that they would achieve a stronger and more collective voice by reorganizing these bodies under one single association. The decision to merge these bodies was based upon a perceived need amongst the boroughs for them to speak with one voice when dealing with the Mayor, the Assembly and the GLA: possibly through a desire to avoid the 'divide and rule' principle that seems especially relevant in modern politics. A second key 'motivation' was 'the need for boroughs to provide co-ordinated

and complementary London-wide services of ever increasing quality and efficiency, and the perception that this is more likely to be achieved by a single flexible body than by the existence of five separate bodies, each with its own accommodation and administrative structure' (ALG Steering Committee, 1999). This argument applies to the current structural arrangements for London's municipal cemeteries and crematoria. The boroughs also recognized that the Mayor and the GLA 'will be taking a much closer interest in the activities of the boroughs than the government has taken up to now – without a clearly co-ordinated approach there is a higher risk to the boroughs that any approach by the Mayor or the GLA will involve unnecessary involvement in some boroughs' activities which would be both inefficient and unwelcome'. Clearly, the existing pan-London committees and the boroughs view the new London-wide government structure as a serious threat to their role as providers of local services. Interestingly, the boroughs rejected the idea of a federal arrangement for the five bodies on the basis that such a grouping 'would not have as clear a voice and cohesive a policy voice as a single overarching constitutional structure' and that it would not provide 'the same long term synergistic benefits of improved service provision and efficiency as would a body established as a single employer and service provider with a cohesive management structure'. These principles may well apply to the arguments in favour of a cross-London organisation responsible for cemeteries and crematoria.

The new organisation established by the amalgamation of the five bodies is to be called the Association of London Government (ALG) and the Chief Executive is Martin Pilgrim who was interviewed for this research project. Pilgrim acknowledged that there is a shortage of burial space in London and appreciated that cemeteries and crematoria have a low profile – he found it 'difficult to determine whom in the ALG would deal with burial and cremation issues'. Indeed, ALG literature on all London issues that are of concern to the boroughs as service providers and to Londoners generally make no reference to cemeteries and crematoria, which is consistent with the low profile of cemeteries and crematoria.

## A responsive model

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*'The belief that local government boundaries should reflect community identification appears to be sustained by little more than a traditional presumption in its favour'.*

(Stanyer, 1976: 72)

The model organizational structure would respond to the problems and challenges facing London's municipal cemeteries and crematoria. The use of best practice and current thinking on effective organizations should ideally be incorporated into the design of a model burial and cremation authority and agency. However, the model would have to take account of the Government's Best Value principles and ideology on the structure of successful organizations and strategic management: these approaches should help us to create a new structure that is able to provide a model burial and cremation service for Londoners, albeit on a theoretical basis.

Hadley and Young (1990), who looked at the characteristics of successful firms (and using the work of Peters and Waterman, 1982 and Goldsmith and Clutterbuck, 1984), identify ten key elements to be found in the best public service organizations. These include clear values and goals with a genuine belief in public services based upon an enabling role. Outsiders looking into the burial and cremation professional often comment on the degree of individual commitment and empathy generally evident in those running and operating the services. Although there is less evidence of the 'enabling role' being embraced, there is a great opportunity for bringing together cemetery and crematorium workers, who appear to have a commonality in their values and goals; possibly to harness their commitment and belief in the burial and cremation service under one umbrella organisation. The second element is a 'precondition for organizational coherence and control' that relies upon the organisation having sufficient authority, the necessary ability and experience, and the coherence to act as a team (Hadley and Young, 1990: 60).

London's cemeteries and crematoria already rely upon a degree of 'localised' cooperation between the boroughs, albeit in small groups dotted around the capital, that

seems to work relatively well at a local level and less well for London. There is no controlling group and the fragmented structure that exists undermines the potential to establish greater experience and to develop ability amongst service providers. The organisation must be able to make policy happen and be structured for action with a system of management information and evaluation to guide policy and strategic approaches on a pan-London basis.

The ability to work in a political arena and be effective in collaboration with political masters is a prerequisite of our theoretical model, that needs to be a dynamic organisation within which change is accepted as natural. These features are consistent with the Best Value regime and if the Government had a blank page presumably it would have an organisation that achieved Best Value from day one. The move towards more 'responsive' public organisations is obviously being extended through the Best Value regime, which builds on the Compulsory Competitive Tendering and privatisation approach as of the last government. These initiatives are encouraging the public service entrepreneur with greater expectation of managers to be more effective and efficient. Hadley and Young found that successful organisations need an effective mandated controlling group, and like Peter and Waterman (1982: pp.112-113) he suggests that large tasks be divided into manageable sections – 'chunking': 'The organisation does not have to be small, semi-autonomous units is what matters; being able to operate in small, face-to-face teams, with the freedom to adapt and innovate are the key constituents of the success of this approach' (Hadley and Young, 1990:103).

The confused and fragmented manner in which cemeteries and crematoria are presently organised is not conducive to the achievement of the characteristics of a successful organisation or the principles of the Government's Best Value regime. The absence of a structure that could facilitate the cross-London planning, coordination and management of burial and cremation facilities has created a vacuum for inaction and failure in the provision of vital public services. Unfortunately, there is no blank page but, where possible, the best elements of successful organisational design should be incorporated into any new model that will inevitably be moulded from what already exists.



## **Prospectus for a London Burial and Cremation Authority and a London Cemetery and Crematorium Agency**

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I decided to test the case for a London-wide burial and cremation authority and agency working on the assumption that any model structure would need to incorporate all current municipal providers i.e. the boroughs and joint committees thereof. I concluded that the main issues raised in Parts One – Three also had to be addressed in any proposal as follows:

1. The need to raise the profile and recognition of cemetery and crematorium provision in the public and political arena;
2. The need to provide a strong, clear and influential voice through the amalgamation of what are considered to be relatively minor borough functions into a major pan-London service;
3. The need for a London-wide perspective and strategic approach for burial and cremation provision;
4. The need for boroughs to provide co-ordinated and complementary London-wide services in line with the Government's Best Value regime and the belief that improvements are more likely to be achieved by a single authority and an agency.
5. The need for a London-wide planning approach towards the capital's burial and cremation demands taking into account land use, transport and environmental issues.

I continued on the assumption that the general powers and duties of the proposed London Burial and Cremation Authority and the London Cemetery and Crematorium Agency respective, would need to take account of those currently incumbent upon the London boroughs as contained under section 214 of the Local Government Act 1972, as amended, and schedules thereunder, viz:

- To provide and regulate cemeteries under the Local Government Act 1972, and the Local Authorities' Cemeteries Order 1977 (as amended);
- To provide and maintain mortuaries;
- To undertake, if appropriate, the care and disposal of dead bodies;
- To carry out the statutory requirements regarding the registration of burials;
- To establish and administer crematoria.

The boroughs currently employ 260 administration and operational staff in cemeteries and crematoria (excluding grounds maintenance staff / contractors) and, therefore, they would need to be transferred to the new authority / agency.

**The potential benefits to be gained from a single authority with an operational agency:**

A new single authority responsible for burial and cremation would consolidate the needs and interests of Londoners, as users of cemeteries and crematoria, into a focused and significant representative entity with greater political influence than is possible under the current structure.

The authority would take a pan-London strategic approach whilst addressing borough and cemetery and crematorium specific issues. London would, for the first time, have a single authority responsible for the Capital's cemeteries and crematoria.

The bringing together of all staff into one agency would create a specialist organisation and structure that would facilitate greater career and professional development opportunities.

The amalgamation of services would result in economy of scale in a wide range of areas including grounds maintenance; the purchase of service specific supplies and equipment; the purchase and maintenance of capital items i.e. cremators and excavators; and information technology/e-business development.

The implementation of sustainable development for example the reuse of graves and the management of old, abandoned memorials could be pursued far more effectively through a single authority.

An equitable pan-London pricing policy would be possible and financially viable.

The new authority and the proposed agency could be managed on a self-financing and not-for-profit basis. This would remove the financial burden placed disproportionately upon local taxation whilst ensuring the provision of a social-minded agency responsible for the provision of an essential public service.

### **The proposed structure of the London Burial and Cremation Authority**

The authority would be formed by a merger of the burial and cremation functions completed by the London boroughs, joint committees and boards and the Court of Common Council (collectively referred to as the London boroughs). I presumed that the authority would need to consist of 33 elected representatives: one from each of the London boroughs. This design was obviously against the experience of successful organizational design structures and the decision to take this approach was made in order to gain support of the individual boroughs for the concept of a single burial and cremation authority. I proceeded with the view that representatives should initially be drawn from those serving on existing committees responsible for the cemetery and/or crematoria service for the respective borough (ideally the chairperson) – again to achieve wide support for the proposal, which I expected to be fiercely opposed at the

borough level and, particularly by the cash-rich joint committees and those boroughs with ample burial space.

The authority would have three sub-committees, each with 11 members:

Cemetery Committee

Crematorium Committee

Policy and Resource Committee

In order to ensure an adequate democratic dimension to the decision making process the authority should establish local consultative committees (the existing joint committees and boards provide an excellent format) to ensure a channel for local representation and views. The number of these committees (to be decided by the authority) would be influenced and possibly determined by representation for their formation.

### **The proposed structure of the London Cemetery and Crematorium Agency**

The new authority under a Chief Executive would employ all staff. Area Directors would be responsible to four operational units created on a geographical basis under the direction of the Chief Executive. All existing staff would transfer to the new employer under TUPE and subject to a new authority salary and conditions structure. The authority in conjunction would determine the detail of such proposals with the Chief Executive and in negotiation with all respective staff and unions.

### **Funding and Financial Regulations**

The authority and the agency could be operated on a self-financing basis. Any boroughs wishing to subsidise burial and/or cremation fees for their residents would be able to do so. Financial regulations for the authority and the agency would be prepared in line with Local Government standards. The cost of the proposed authority and the agency would be more than the current expenditure of the respective authorities and the setting of higher fees would be the principal vehicle for meeting the difference.

## **Property and location**

All cemeteries and crematoria would be passed to the authority, the core of which would be based in a single building at a central location, where, ideally, committee meetings would be held.

## Views of Cemetery and Crematorium Managers

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The views of key stakeholders were sought on the prospective arrangements for a London Burial and Cremation Authority taking a London-wide approach toward the control, provision and management of cemeteries and crematoria. This was done by first setting-out the above proposals and secondly by inviting responses to 7 main propositions. A questionnaire (appendix 1) was distributed to 39 London cemetery and crematorium managers and 28 (72%) were completed and returned.

### CONSULTATION QUESTIONS AND RESPONSES

The comments made by respondents representative of the general views for or against the

Respective proposition are shown in *Italics*:

1. Do you agree with the proposition that the functions currently carried out by the London Boroughs as Burial and Cremation Authorities should be undertaken within one structure e.g. the proposed London Cemetery and Crematorium Authority?

Yes =20	No = 7	Undecided = 1
71%	25%	4%

A general and strong view in support of the proposed authority and agency was expressed. Most see the idea as the way to resolve many of the chronic problems facing the London in terms of burial and cremation provision and to generally improve the quality of services at municipal cemeteries and crematoria. Those against the proposal tended to be in a healthy position with regard to burial space and financial resources. The main arguments against a London-wide approach were considered to be a loss of local democratic control of cemeteries and crematoria and a fear of change amongst staff.

*'Provided Burial Authorities recognize their duties with regard management and control of cemeteries and crematoria there is no requirement for an imposition of an external body'.*

*'With regards to cemetery land held in reserve we are fortunate and to sign up to a common body which may wish to impose consolidated regulations may find the local authority in breach of it's commitment to local residents'.*

*'When I raised the idea of a London burial and cremation authority with my chairman he threw his hands-up in the air in a state of denial!'*

*'In principle there are strong attractions in the concept of one umbrella organisation managing all of the London cemeteries and crematoria. The ability to plan strategically is foremost of the advantages. The present system of administration at borough level is near to crisis management as burial space runs out'.*

*'This is urgently needed to improve and standardize the present fragmented service and to coordinate the much needed future development of burial and cremation across London'.*

2. Do you agree with the proposition that the London Cemetery and Crematorium Authority should provide political and managerial leadership for those functions?

Yes =20	No = 7	Undecided = 1
71%	25%	4%

Generally those in favour saw single political and managerial leadership as essential for any significant improvement upon the current arrangements. Those against expressed concern at a decline in local decision-making and suggested that current arrangements were adequate, although several recognized that action needed to be taken about the shortage of burial space.

*'A London-wide authority should provide a better and more uniform service for the disposal of the dead for the future benefit of London'*

3. Do you agree with the proposition that the London Cemetery and Crematorium Authority should optimize boroughs' individual and collective interests as Burial and Cremation Authorities with the Government and the proposed elected Mayor and Greater London Authority?

Yes = 20	No = 7	Undecided = 1
71%	25%	4%

Those in favour tended to associate the formation of an authority and agency with the opportunity to raise the profile of the service and the best way to achieve improvements in the consistency and quality of service provided.

*'The inability of boroughs to have impact on the national and regional scene would give way to one effective voice. Lack of political kudos at present would change as the organisation spoke with authority across the capital; it would also enable consistent standards of management and provision to be achieved. Currently quality varies enormously from first class to very poor'.*

4. Do you agree with the proposition that the constitutional structure of the proposed London Cemetery and Crematorium Authority should be based upon equal representation from the London boroughs?

Yes = 13	No = 14	Undecided = 1
46%	50%	4%

The main argument against equal representation was that the authority would be too big and cumbersome. Those in favour tended to acknowledge the drawback of too big an authority and accepted the concept as a compromise necessary to gain borough support.



5. Do you agree with the proposition that the cemetery and crematorium staff of the existing London boroughs should become employees of the London Cemetery and Crematorium Committee with a single Chief Executive?

Yes = 20	No = 7	Undecided = 1
71%	25%	4%

Serious concern was expressed at the negative effects that change would have upon staff morale – particularly those who have previously been subjected to changes. Several of the respondents said that they had personally experienced reorganization (three had been redeployed into their current positions as a result of staff reductions in their previous departments and this may have influenced their response considerably).

*'In summing up, I believe that we are at a crossroad and some initiative has got to be shown by the London Authorities because basically most of the cemeteries and crematoria are controlled by people who do not understand the day to day running of either'.*

*'If all local authorities were required to employ qualified IBCA members this should raise the standards throughout and ensure proper administration and control of cemeteries and crematoria to give best value'.*

*'I went through the 1974 reorganisation and don't like change – in any event a London authority for cemeteries and crematoria would be too big and unwieldy'*

*'Staff are very loyal and dedicated to the service they provide and do not need additional concerns about changing employers and the threat of job losses'.*

*'The idea of a single office with professional expertise taking responsibility is particularly refreshing and would lead to a more confident service. I think that the whole management of cemeteries and crematoria would be in the hands of people who would really provide the type of service that is required'*

6. Do you agree with the proposition that the newly elected Mayor for London should be invited to be a member of the London Cemetery and Crematorium Committee?

Yes = 13	No = 14	Undecided = 1
46%	50%	4%

Respondents were evenly split on this issue with half taking the view that cemeteries and crematoria should remain a borough issue and were opposed to Mayoral involvement on the grounds that such involvement might present a threat over future possession and control. The other half saw the involvement of the mayor as an opportunity to raise the profile of the service and to gain kudos from such participation, although most suggested that it was unlikely that the mayor would be interested in any such involvement – perhaps reflecting the general lack of confidence in the importance of the service that seems prevalent amongst cemetery and crematorium professionals.

7. Do you agree with the proposition that the GLA Assembly should be invited to nominate one representative to be a member of the London Cemetery and Crematorium Committee?

Yes = 20	No = 7	Undecided = 1
71%	25%	4%

Interestingly those in support of the authority concept were strongly in favour of the Assembly being represented. This suggests that the respondents felt this more likely and ‘appropriate’ that the Mayoral option.

8. What effect, if any, do you feel that these proposals would have on the provision, management and operation of cemeteries and crematoria in London? Please write overleaf or use a separate sheet.

*'Currently, this borough's cemeteries are managed as part of a larger ground maintenance structure with no single dedicated officers and on a break-even budget. The responsibility fall under Leisure and Library Service and the amount of cemetery business, which requires a member decision, has been very limited. Therefore, I can see no benefit in creating a bureaucracy with the necessity for decisions to be made when none exists. Perhaps a continued move towards cremation will help to resolve the land use problem'.*

*'It would be possible to establish common standards and best practice across London, but at the expense of existing local variations (both good and bad)'.*

*'The advantages are obvious and much needed in the provision of cemetery land for burials. Furthermore, such an organization would be able to better influence Central Government policy on the provision of cemeteries and new legislation to facilitate the re-use of graves. 'Management generally would be easier and more focussed'.*

*'At the moment we are only concerned with the needs of the local community, "looking after our own" and not the wider community'*

*'The loss of control for a crucial local service provided directly for the local community might not be welcomed. This is more than a strategic planning issue, rather the proposal jeopardizes local control and influence over a facility which a lot of people in the community have an emotional attachment'.*

*'A loss of control for boroughs who wish to provide facilities close to their communities, but new cemetery sites / crematoria would be strategically placed for the good of London'*

*Tower Hamlets spokesperson: 'Our one cemetery is run by some sort of environmental group – who look after it for us and as a council we don't get involved'.*

### Quick analysis of views

London cemetery and crematorium managers for / against a London-wide authority / agency:

	<u>Number.</u>	<u>%</u>
For -	20	71
Against -	7	25
Undecided -	<u>1</u>	04
Total	28	

The majority of London's cemetery and crematorium managers support the case for a London burial and cremation authority and agency. All respondents took time to generally comment on the subject and most expressed strong views either way for or against the idea. Those not in favour failed to provide convincing arguments with several openly admitting that they were not interested in change at such a late phase in their careers. Whereas the majority who support the idea commented on the considerable failings of the current arrangements and were convinced that the situation could only be improved by a single agency –suggesting a *prima facie* case for such an initiative to proceed.

## Summary and Commentary

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The Best Value process provides an opportunity to review current provision using the 4Cs – to challenge whether the London boroughs should be responsible for cemeteries and crematoria and, if not, how the services can be best provided; to establish how the boroughs compare and whether they are competitive when put up against private sector providers. What do Londoners want? Do they favour privatisation? Or a pan-London authority / agency? Unfortunately, the burial and cremation services are operated at the borough level with no control or coordination across London and, therefore, there is no current mechanism to provide answers to these questions for the capital per se.

Current thinking suggests that improvements in the present arrangements for municipal cemeteries and crematoria are possible through better organisation of the way in which the service is structured and provided. This may be achieved through the formation of a single dedicated authority and/or agency that is responsive to the needs of burial and cremation as a public service – particularly the major issues such as the shortage of burial space and the poor state of London's cemeteries. In addition to incorporating best and proven practice in creating responsive organizational structures any new design must, by political necessity, adopt the Government's Best value principles. Essentially, the ideal organizational structure would facilitate control over the service and the making and implementation of effective policies against which success could be measured.

The London boroughs obviously feel threatened by the position of the elected Mayor and the Greater London Authority – hence the enlarged Association of London Government. Nevertheless, the failings of the London boroughs as burial and cremation providers create the conditions under which a potential conflict could arise between the boroughs, the ALG, the Mayor, and the elected Assembly. The London Planning Advisory Committee, which has been incorporated in the GLA, recommended that the possibility of a London-wide authority with responsibility for burial provision should be examined and favoured responsibility for burial planning coming under the auspices of the GLA. It is likely then that the major issues facing the boroughs as burial and

cremation authorities will be scrutinized by the Mayor and the Assembly as part of their deliberations over pan-London issues including land use and the environment. The Mayor and the GLA also provide a new 'central' point for pressure groups to focus their complaints offering a course of action that was not previously available in respect of cemeteries and crematoria. The borough leaders have expressed concern at the threat of the GLA encroaching on functional services that have traditionally been provided at the borough level. However, the Government was obviously keen to avoid any comparison between the GLA and the former GLC and it is likely that in their early years the elected Mayor and Assembly will wish to maintain good working relations with the boroughs. This will necessitate avoiding the temptation to expand the role of the GLA especially with regard to functions currently completed by the boroughs and the Corporation of London.

There is a perceived link between the present arrangements for burial and cremation provision and the myriad of problems already highlighted – specifically the absence of any strategic planning and control. This is evident in the views obtained from several sources, including cemetery and crematorium managers, who overwhelmingly support the formation of a London burial and cremation authority and an agency. There is a general belief that a cross-London approach would result in benefits that would outweigh the potential disadvantages. Cemetery managers in particular express considerable frustration at the continual drain on resources with fees either being artificially low or increased to generate income that is subsequently siphoned off to finance other council services.

The managers who support the creation of an authority expressed the following concerns that would need to be addressed:

1. The authority should have a relatively small board of elected members and this may cause problems in getting cross-borough agreement about borough representation.
2. Staff would need to be fully consulted and 'won-over'.

3. The authority would need to have adequate autonomy from any umbrella organization and the cemeteries and crematoria funds ringfenced.

### **Observations on Methodology**

The collection of data for this part of the report relied upon the use of literature review, informal interviews and the questionnaire shown in appendix 1. In designing the questionnaire I took account of my knowledge of cemetery and crematorium managers in London – they are busy, under considerable pressure and regularly receive questionnaires for completion. I therefore sought to produce a document that was concise and direct in purpose and which would simply survey whether cemetery and crematorium managers would support the creation of a London Cemetery and Crematorium Authority and agency. I sought to achieve this objective through specific propositions based upon the case for such change in a format that encouraged the expression of opinion and general observations. The presuming nature of the questions represented a deliberate approach to encourage a good response and to generate constructive feedback. 39 questionnaires were personally addressed to the individual managers with a covering letter explaining the purpose of the research. A total of 28 (74%) completed questionnaires were returned and 25 of these were accompanied with a covering letter with additional comments. The design of the questionnaire attempted to take account of the essence of the Government's Best Value initiative by challenging and comparing the current arrangements and consulting on a possible alternative. In addition, the possible implications of the new Association of London Government, elected Mayor and Assembly were considered and addressed in the presentation of the questionnaire's propositions. The questionnaire generated some passionate responses for and against the proposed authority and agency, the latter being in the minority.

Semi-structured interviews with key players in existing pan-London organizations (Chief Executive of the ALG; Assistant Chief Planner at LPAC; and the legal adviser to the London Bodies Review Committee) provided an invaluable testing board for the main propositions of this report. The semi-structured approach to these specific interviews made the task of analyzing the results more difficult than structured interviews, but I am convinced that the quality of the information provided is a lot richer than would have otherwise been the case had I kept to a strict format and set questions.

## PART FOUR - COMPARISONS AND PROPOSALS

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### **Introduction**

This stage of the report presumes that there is a case for a London Burial and Cremation Authority and an operational Agency and, therefore, develops the prospective models that were examined in Part Three. These earlier models are developed through the use of three case studies based upon the Royal Parks Agency, the United Synagogue Burial Society and the Corporation of London's Open Spaces. The issues covered by the case studies include the service provided, the degree of centralization, administrative arrangements, governance, accountability, staffing and the legal framework within which each of the organizations operate. The pros and cons for each organisation are considered along with their major successes and failures.

The best elements and key lessons from these case studies are used, together with the main findings from Parts One to Three, to build a revised model for the proposed London Burial and Cremation Authority and agency respectively. Structure, appointments and staffing issues for these proposed organizations are also addressed. The Royal Parks Agency was subjected to a comprehensive review in 1992 and the Corporation's Open Spaces have recently been through a similar review (incorporating the requirements of Best Value) and are currently in the process of reorganisation. The information and knowledge from these reviews was used to guide the recommended model for the proposed authority and agency to be responsible for municipal cemeteries and crematoria.

### Research methodology

The case studies were completed through a desktop review and site visits including meetings with senior management. Literature reviews were conducted at the British Library and the Guildhall Reference Library in respect of the Royal Parks Agency and Jewish burial societies, including the United Synagogue Burial Society. Semi-structured interviews were held with a member of the Royal Parks Agency Management Board and also with the Secretary of the United Synagogue Burial Society. Copies of relevant



management plans, corporate policy documents and annual accounts were obtained for the respective organizations used in the case studies. Information and quotes have only been used with the permission of the participants. With regard to the Corporation's Open Spaces I was able to call-upon a considerable volume of material that I acquired as a member of the officer group, working on a best value review of the Corporation's numerous open spaces.

## Case Study 1 : Royal Parks Agency

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*'The Royal Parks are fundamental to London's quality and reputation. But their unique character as historic landscapes in the heart of the City requires increasing vigilance and the highest standards of management if they are to survive the pressures of people, pollution and vehicles'*

(Royal Parks Review Committee, 1992)

London is one of the world's third biggest cities and today the great capital benefits from parks that were established by royalty over several centuries. Although control of these 'royal' parks was passed to State control in 1851 they remain the property of the sovereign. The Royal Parks are Regent's, Primrose, St. James's, Green, Hyde, Kensington Gardens, Greenwich, Bushy Park and Richmond. In 1852 Brompton Cemetery situated in south west London was subject to compulsory purchase by the Government under the Metropolitan Interments Act of 1850 and is the only private cemetery ever to come under State control. Brompton Cemetery and the Royal Parks came under the control of the Department of the Environment until a review, completed in 1992, concluded that 'coherent, long term planning and funding would be greatly aided were the Royal Parks to become an agency' (Royal Parks Review, 1992). The review had been established by the Secretary of State in 1991 with an instruction that the 'Government's overriding concern for maintaining quality and pursuing excellence' guide consideration of the future management of the Royal Parks. A small group of people formed the Review Committee, which completed the task in-hand within a six-month timetable. The Review Committee established a set of guiding principles for the review and these included the following objectives (Royal Parks Review, 1992):

1. The physical integrity of the parks, above and below ground, should be strictly observed.
2. The historic design of the landscape should be respected. Any new proposals or changes should be considered against the historic evolution of the parks and the need to retain their historical integrity.

3. There should be a strong presumption against any additional building and permanent enclosures.
4. Standard of maintenance, design and landscape, horticulture, nature conservation, buildings and services should be improved.
5. The essential purpose of the parks should be recognized as providing peaceful enjoyments in the open air.
6. The parks are essentially for people on foot and the needs of the pedestrian should be given the highest priority within the parks. The impact of vehicles, parked as well as moving, should be reduced.
7. The arrangements for managing and financing the parks should relate to their purpose and needs.

These objectives are tailored for a review of London's cemeteries: they address most of the key issues raised elsewhere in this report and this is important because they impact greatly upon the relevance of the Royal Parks Agency as a case study for a London Burial and Cremation Authority and/or Agency. The Review Committee concluded that there was a clear case for a separate agency responsible to the Secretary of State 'but with its own identity and Chief Executive fully accountable for its performance' (Royal Parks Review, 1992: 78) and that such an agency would bring the following benefits:

1. A clearer focus on quality in all aspects of the parks, their structure and services.
2. The ability to prepare coherent plans for the future with Ministers approving long-term strategy rather than taking decisions piecemeal.
3. A clearer identity and profile.
4. A management structure concentrated on park objectives able to react more quickly to current issues.
5. More flexible recruitment.

6. Greater flexibility and power in the procurement of supplies and services.

The Review Committee also recommended that a small high-level advisory board of influential friends of the parks, who could ensure that the parks get a fair share of public resources, be appointed. The board would be able 'to advise the Chief Executive of such an agency and the Secretary of State'. All these recommendations were implemented.

The Royal Parks Agency is run by a management board consisting of the Chief Executive, Head of Policy, Head of Finance and Technology, Head of Commerce and Inner Parks and the Royal Parks Constabulary Chief Officer. Seven park managers who are responsible for the day-to-day operation for each of the following parks assist the board:

<u>Park</u>	<u>Hectares</u>	<u>Annual Gross Expenditure</u>
Hyde Park	140	£3.831M
Kensington Gardens	111	£1.480M
Brompton Cemetery	16	£0.319M
St.James's Park & Green Park	40	£2.732M
Regent's Park and Primrose Hill	197	£3.606M
Greenwich Park	73	£1.696M
Richmond Park	955	£2.487M
Bushy Park	<u>445</u>	<u>£1.958M</u>
	1977	£18.109M

These figures exclude the Royal Parks Constabulary.

The area of open space managed by the Royal Parks Agency is less than the 2226 hectares of parkland that was previously under the Greater London Council. When the Greater London Council was abolished in 1986 responsibility for the authority's parks and open spaces was invariably passed to the individual boroughs in which they are located. There were some exceptions including Hampstead Heath, for example, which was first transferred to the London Residual Body in 1986 and subsequently taken over by the Corporation of London under the London Government Reorganisation (Hampstead Heath) Order 1989. The historic houses at Kenwood, Blackheath and Marble Hill were placed under English Heritage. These anomalies largely occurred

because the boroughs lacked either the finances or the expertise (or both of these) to run the respective services to an acceptable standard. In setting up the Royal Parks Review the Secretary of State made it clear that future management proposals must ensure that excellence in service provision prevailed and this seems to have ensured that the possibility of their being passed-over to the appropriate boroughs was not considered as a viable option.

Total expenditure on the Royal Parks Agency is £26.677M per annum based on 1998/99 Outturn with a net public resource requirement of £22.220M (Royal Parks Corporate Plan, 1999: 11). Total expenditure on ground maintenance amounts to £6M per annum. Around 90% of ground maintenance work is 'outsourced' and contracts are issued for each park. Care is taken to ensure that at least four different contractors are used to facilitate benchmarking. Excluding the Royal Parks Constabulary the agency employs 76 full time staff and all ground workers are employed through contractors.

The public get a say in the running of 'their' Royal parks through their elected Members of Parliament. They in turn are able to influence decisions through the Government which directs the agency through the Department for Culture, Media and Sport.

## Case Study 2 : United Synagogue Burial Society

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*A Jewish cemetery is called the 'House of Life' to reflect the act of benevolence on the part of survivors who complete the act of burial. It is absolutely prohibited for any benefit to arise from the dead – and hence no individual can rightly undertake burial at a profit'*

(Green, 1991: 136)

In 1656 when Cromwell allowed Jews back into England they made only one imperative demand: a place to bury their dead in accordance with their custom. This request was granted and led to the formation of Jewish burial societies and burial grounds in the East End of London, which was home to a large Jewish population. The primary purpose of the burial societies was to provide affordable funerals and burial for the poorer Jews of the East End and each male member of the society achieved this through a weekly payment. In 1921 the fee was 3d per week which guaranteed that the funeral and burial costs for 'the member, his wife and any unmarried son or daughter under the age of 21' would be met by the society provided the subscriptions were up to date. The burial societies also received donations and eventually the income exceeded expenditure enabling them to build-up considerable reserves that were subsequently used for social services – particularly health. Today almost all Orthodox Jews are paid-up members of a Burial Society (Spitzer, 1998:61).

The United Synagogue serving north east London is reputed to be the 'foremost Anglo-Jewish Orthodox Synagogue community comprising 64 synagogues with 38,000 members and whose religious authority is The Chief Rabbi of the United Hebrew Congregations of the Commonwealth' (United Synagogue, 1998: 3). Each member must be a member of the United Synagogue Burial Society, which has an annual contributory fee of £40 – generating £1.52M per annum in subscriptions. This fee guarantees that the society will arrange and pay for the funeral and provide a 'basic' grave in one of its two main cemeteries. Many members choose more expensive graves, which can cost up to £20,000 and an additional memorial permit fee is charged. In 1998 the Burial Society

conducted 1233 funerals and only 53 were 'non-members' (who would have been required to pay substantial fees for the right). These numbers also include 57 'charity' burials for those who were not member and who could not afford to pay any fees. The Burial Society operates two main cemeteries at Bushey and Waltham Abbey where 93% of burials take place. In accordance with the Jewish custom each grave is used for a single interment and invariably takes place within 24 hours of death. The Burial Society makes all the funeral arrangements, which are completed under contract with commercial funeral directors appointed by a competitive tendering process. 'Jewish burial societies are not simply apparatuses for expediting burials or conducting funerals. Primarily they are religious organizations, derived from and owing their authority to synagogues' (Green, 1991: 136). The United Synagogue total income for 1998 was £17.1M of which £3M came from the Burial Society. The Burial Society generates a surplus of around £600,000 per annum, which is passed to the United Synagogue to offset the cost of educational and social services for the benefit of the membership.

The Burial Society employs 60 staff and is headed by the Burial Society Secretary. The organisation of the staff is based upon a hierarchical structure with seven layers from the ground staff up to the Burial Society Secretary. Operational cemeteries are maintained to a good standard, although 'closed' cemeteries are generally subjected to the use of total weedkillers leaving a barren and cold appearance (this is considered acceptable because the cemeteries are not visited).

The United Synagogue Burial Committee, which consists of 50 synagogue representatives and meets every six months, oversees the work of the Burial Society. However, the structure has recently changed and, in addition to the Burial Committee, there is a central management board elected for a three-year period with executive power. Nevertheless, decisions are, for political reasons and where practicable, left to the Burial Committee.

The Secretary seems to have a great deal of control and autonomy over the strategic management of the Burial Society and has been able to forward plan in a manner that would be expected of a Chief Executive. This has brought considerable benefits with regard to long term planning, financial management and the meeting of objectives.

Obviously, the Burial Society operate outside the restrictive nature of the *ultra vires principle* that hangs around the neck of local government and this enabled the Secretary to recommend and implement very effective income generating policies. Also, due to the nature of the organization, the Burial Society is able to operate a monopoly on the charging of all fees in respect of religious services including the consecrating of gravestones. This kind of freedom to generate income (though not in respect of religious services) would greatly assist the financial viability of municipal cemeteries in particular.



### Case Study 3: The Corporation of London Open Spaces

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The Corporation of London is the oldest local authority in the world and is unique within the United Kingdom because of its apolitical structure. Although the Corporation is the civic authority for the City of London it is also responsible for a wide range of services outside the square mile – including the country's largest cemetery and crematorium. These services, that are invariably provided at no cost to local taxpayers for the people of London, include a substantial area of open space viz. Epping Forest, West Wickham & Coulsdon Commons, Ashted Common and Burnham Beeches, Hampstead Heath, West Ham Park and the open spaces within the City of London. These services are financed through private funds that have been established over the Corporation's 800 years of existence. The open spaces have been acquired and are managed by the Corporation under various Acts of Parliament including the Epping Forest Act 1878, the Hampstead Heath Act 1871 and the Corporation of London (Open Spaces) Act 1878. These Acts place a duty upon the Corporation to preserve these open spaces for the benefit of Londoners and their environment. In the case of Hampstead Heath a Management Committee was established for the purpose of 'advising on the implementing of the Corporation's policies and programmes of work and considering any representations from the Consultative Committee'. The Consultative Committee consists of representatives from local organizations, sporting interests, nature conservation, the disabled and those concerned with Hampstead Heath. The open spaces cover 4000 hectares and are spread across London. Total expenditure of the open spaces in 1998/99 was £17.123M (net expenditure was £13.256M) and the total number of staff employed, excluding central support staff, is 257 (most grounds maintenance work is completed by directly employed staff).

Four separate departments namely Epping Forest; Open Commons; Open Spaces; and Hampstead Heath currently manage the open spaces. In June 1999 the Corporation established an officer working party to review the future management of two of these departments - Epping Forest and Open Commons under the Best Value regime and with a view to the two departments being merged. In November 1999, the reviews was extended to include the Hampstead Heath and Open Spaces departments with the

recommendation that the four departments be merged into one with the appointment of a Director of Open Spaces be considered. The Officer's review panel (September, 1999) considered the perceived benefits of a single department to be as follows:

1. It would enhance corporate management in the Corporation;
2. It could have more support...
3. It could release the remaining Superintendents. to carry out more work directly related to their open spaces;
4. There could be advantages in merging the administration units;
5. Common issues could more readily be progressed;
6. The department would have a stronger voice... externally and internally;
7. There would be potential benefits from a combined public relations strategy and strategy for open spaces;
8. The separate open spaces would retain their own individuality and continue to have the kind of management appropriate to their character.

The Corporation's Open Spaces Best Value Review Working Party agreed the recommendation and the concept of a single department for the open spaces has been agreed by the respective service committees and will be considered for final approval by the Court of Common Council on the 28<sup>th</sup> July 2000.

In considering the merging of the four departments into one, the Corporation had considered the Royal Parks Agency Model and concluded:

*'The Royal Parks Agency model has demonstrated that this option works. Headed by a single Chief Officer, this proposal supports the development of an integrated corporate strategy for the management of all open spaces for which the Corporation of London is responsible. Having one open spaces department would allow unfettered and more effective utilization of support and specialist staff and resources. Guided by a fully developed corporate strategy, the individual park / area managers would be empowered at a local level...'*

(Town Clerk to the Corporation of London, 1999)

## **Model London Burial and Cremation Authority**

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In proposing a model authority the key issues that must be addressed are the ideal size and the organization's constitution. The principal agencies involved in the provision of public cemeteries and crematoria in London are the London boroughs (and seven joint committees thereof), the Corporation of London and the Royal Parks Agency (in respect of Brompton Cemetery and on behalf of the Secretary of State for the Environment). Equal representation from each these organizations would create an over-sized Burial and Cremation Authority with 41 members. A balance would need to be achieved between representation and a size that would facilitate effective decision making. The Corporation of London is responsible for the City of London Cemetery and Crematorium that is considered the 'flag-ship' of municipal cemeteries and crematoria in the United Kingdom. The inclusion of a representative of the Corporation of London and of the Secretary of State for the Environment is justified on the grounds of their respective roles as burial authorities and, in particular, because their involvement would enhance the status of the London Burial and Cremation Authority. The authority would also need to maintain a close working relationship with the Mayor of London who should be required to appoint a representative. The boroughs would expect to appoint the majority of representatives and one representative per four boroughs i.e. 8 representatives would be reasonable. Therefore, the authority would comprise of 11 members.

The borough representatives should be appointed under the aegis of the Association of London Government. This approach is considered vital to obtain cross-borough support for the running of cemeteries and crematoria on a pan-London basis whilst retaining them under an authority appointed and controlled by the boroughs through the ALG. The burial authority would be given the necessary power and authority to run London's municipal cemeteries and crematoria in the wider-interests of London and Londoners. This would require control of policy and strategy with financial independence and autonomy from the boroughs. The authority would be given the remit to operate the burial and cremation service on a self-financing basis without recourse to the constituent

members. This would require complete control over the setting of fees and charges and expenditure.

The authority would be charged with the following duties and responsibilities:

1. Preserve and enhance the historic landscape and built environment of London's municipal cemeteries and crematoria.
2. Strategically co-ordinate municipal burial and cremation provision for London.
3. Provide affordable burial and cremation within London.
4. Maintain the right to choose between burial and cremation without financial penalty.
5. Pursue legislative changes to facilitate sustainable use of burial ground.
6. To make cemeteries safe places to visit.
7. To encourage the use of municipal cemeteries as open spaces.
8. To maintain and enhance the ecological and conservation value of municipal cemeteries and crematoria.
9. To ensure adequate contingencies plans are in place for the burial and cremation of the dead in the event of a major disaster.
10. To operate municipal cemeteries and crematoria on a not-for-profit basis in a financial manner that is self-sufficient and sustainable.
11. To ensure that municipal burial and cremation provision meets the test of the Government's Best Value regime.

The authority would meet quarterly and be served by a small secretariat within the ALG that would host the meetings in central London and would appoint the Chief Executive of a London Cemetery and Crematorium Agency. All existing staff employed in municipal cemeteries and crematoria would be transferred to the agency under TUPE and their conditions of service harmonised within the new authority (subject to consultation and negotiation between the interested parties).

## **Model London Cemetery and Crematorium Agency**

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The agency would be responsible for putting into action the policies and strategies of the London Burial and Cremation Authority. A Chief Executive leading a small corporate team of staff responsible for the control, coordination and direction of London's municipal cemeteries and crematoria would head the agency. The corporate team would consist of the Chief Executive, Director of Finance, Director of Central Services and four Area Directors covering NW, NE, SE and SW of London. The Area Directors would cover the boroughs shown on page 101.

The cemetery area represents the area of municipal cemetery space within the respective borough irrespective of borough ownership. The number of burials includes burials in new and existing graves in all municipal cemeteries within the respective borough. The number of cremations is listed under the borough in which the municipal crematorium is situated irrespective of ownership.

The creation of four operational units of the agency on a geographical basis would provide the following benefits:

- Operational units in a manageable size facilitating a flat management structure.
- Comparable units that could be operated on a competitive basis.
- Procurement of services and contracts through different suppliers and contractors.
- Career structure that would be conducive to professional development.
- Consultation on local issues in geographical areas.
- Practical utilization of staff and resources on a geographical basis.

# SUGGESTED STRUCTURE FOR THE AUTHORITY'S FOUR AREAS

	Cemetery area	Burials	Cremations	Total
<b>North-West London</b>	(Hectares)			
Barnet	61	1043	1856	2899
Brent	24	129	0	129
Camden	15	165	0	165
Ealing	53	608	0	608
Islington	0	0	0	0
H& Fulham	12	3	0	3
Harrow	19	36	2766	2802
Hillingdon	70	385	4300	4685
Hounslow	37	785	0	785
Kensington & Chelsea	16	21	0	21
Westminster	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	307	3175	8922	12097
<b>North-East London</b>				
Barking & Dagenham	22	921	0	921
City of London	0	0	0	0
Enfield	56	735	3140	3875
Hackney	0	0	0	0
Havering	17	589	4751	5340
Haringey	24	91	0	91
Newham	90	1176	4300	5476
Redbridge	13	251	0	251
Waltham Forest	<u>22</u>	<u>307</u>	<u>0</u>	<u>307</u>
	244	4070	12191	16261
<b>South-West London</b>				
Croydon	36	337	2281	2618
Kingston Upon Thames	14	197	940	1137
Merton	49	821	0	821
Richmond Upon Thames	63	520	2613	3133
Sutton	18	489	0	489
Wandsworth	<u>61</u>	<u>1116</u>	<u>1758</u>	<u>2874</u>
	241	3480	7592	11072
<b>South-East London</b>				
Bexley	20	335	0	335
Bromley	14	315	0	315
Greenwich	53	811	4415	5226
Lambeth	17	256	1555	1811
Lewisham	49	617	1822	2439
Southwark	<u>52</u>	<u>630</u>	<u>1522</u>	<u>2152</u>
	205	2964	9314	12278

## Summary and Commentary

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The Royal Parks and other major open spaces are managed by centralised management units in the form of the Royal Parks Agency and the Corporation of London's Open Spaces Department. These arrangements suggest that both the Government and the Court of Common Council for the City of London have concluded that responsibility for major open spaces is better placed with a single agency rather than with individual boroughs or units. The suggestion being that such arrangements would achieve better results than would otherwise be the case if the open spaces were to be managed by the boroughs or joint committees thereof. Surprisingly this view was not taken for most of the parks previously provided by the Greater London Council that cover 2226 hectares of land and which were passed to the boroughs upon abolition in 1986, except for Hampstead Heath which none of the boroughs could afford to maintain and was taken on by the Corporation in 1989.

Both the Royal Parks Agency and the Corporation of London make a good case for the single agency approach – particularly where the service is operated for the benefit of London per se and not for the boroughs or boroughs in which the services are located. Whether there is a case for a merger of all these open spaces is beyond the remit of this report although both organizations comment that such an agency would be too big and unwieldy – this could suggest one of two things: there is an optimum size of a single agency or protectionism based upon self-interest. Nevertheless, there are several main benefits from the models adopted by the case studies: greater control and co-ordination of the service; clear lines of responsibility over strategic management issues; centralization of core expertise; equality of service provision; and high standards.

The provision of adequate resources is a major factor in the kudos awarded to the open spaces managed by the Royal Parks Agency and the Corporation of London. However, efficient and effective use of those resources and their ring fencing for the respective services facilitate the high standards achieved. Net public expenditure on the Royal Parks is the equivalent of £3.14 per head of London's population. Although this



expenditure is met by central Government the amount is over 4 times that spent on London's cemeteries and crematoria by the boroughs.

### **Observations on Methodology**

The case studies provided an effective method for reviewing the way in which other services that share some or many similarities with cemeteries and crematoria are organized and managed. The organizations selected are responsible for functions spread across London and their success demonstrates that such pan-London arrangements can and do work. The representatives of the case study organizations interviewed for this part of the report had no connection with the London boroughs or municipal cemeteries and crematoria and they were, therefore, impartial. Without exception they all expressed general amazement at the fragmented way in which municipal cemeteries and crematoria are provided and cited the potential benefits of a single authority and agency as providing a *prima facie* argument for such change. The case studies and the feedback from Part Three helped shape preferred models for the proposed authority and agency.

## **PART FIVE**

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### **Summary of observations on methodology and commentary**

This project report used the following research techniques and methodology:

#### **Literature reviews**

The main sources of literature, which are shown in the bibliography to this report, included the following: material on the history of burial and cremation in the United Kingdom (which is extremely limited); publications on London government organisation and reform; research methodology; organisational structure and design; and professional reports and publications. Most of the literature is to be found in the British Library, the Guildhall Reference Library, the London Research Centre, HMSO and the Confederation of Burial Authorities. The biggest difficulty that I came across in reviewing the literature was identifying what was or wasn't relevant and avoiding pursuit of fruitless information trails. The initial planning of the literature review proved to be vital in reducing unnecessary reading: due to the limited time available for any research project the researcher is eventually obliged to be decisive in the selection of literature to study. Unfortunately, this skill tends to take some time to acquire as I have learnt to my cost.

#### **Semi-structured interviews**

All of the interviews conducted face-to-face were by prior appointment with individuals who had been briefed by telephone calls and/or correspondence about the nature of the research topic. Pre-planning for the interviews consisted of main topic headings that needed to be covered with few specific questions. Notes and quotes only were used during the interviews, which were not tape recorded. The semi-constructed nature of the interviews was helpful in allowing ideas to flow between the interviewee and myself as researcher. On the negative side, this made the interview results more difficult to compare. The Case Study organizations are not connected to each other or the topic organizations and this proved useful in being able to openly analyze and compare them.

## **Case Studies**

The Case Studies were the most interesting part of this research project and the results played an integral part of formulating the proposals for a London burial and cremation authority and agency, which underlines their useful application. I was very fortunate in having being able to establish contacts that were so open and helpful. Although they were very time-consuming the quality of the information obtained proved to be invaluable.

## **Questionnaires**

The poor response rate normally given to questionnaires made me initially cautious about using them for this research project. However, early feed-back from London cemetery and crematorium managers led me to believe that I would get a good response due to the considerable interest in the subject. The questionnaire was pilot tested with five London cemetery and crematorium managers through a combination of telephone interviews and correspondence. The results of this process indicated that the responses were clear cut either for or against the need for a London burial and cremation authority. There was a consistent call for the questionnaire, which was initially constructed of mainly open questions, to be more specific and to set out the arguments for a London-wide authority. The prospectus, set out in appendix 1, was based upon a similar approach taken by the group reviewing the reorganisation of the Association of London Government (used with permission). The design of the questionnaire allowed the results to be presented in an easy to understand statistical format. The prospectus was effectively a referendum of cemetery and crematorium managers who largely consulted their senior officers and elected members before responding to the propositions contained in the questionnaire. The unambiguous wording used and the specific propositions made may have contributed to the high return rate of 74%. If implemented, the propositions would directly affect the careers and lives of the principal respondents and this was reflected in the response rate and the detailed comments made in answer to the single open question and additional uninvited, but welcome, observations.

The respondents fell into one of two categories and met one or more of the following criteria:

Category 1 - Opposed to a London burial and cremation authority

- openly opposed to any change (referring to previous bad experience);
- their borough has ample burial space and adequate cremation facilities;
- desire to protect burial space for their residents;
- cemetery / crematorium in a relatively healthy financial position;
- see no need for pan-London approach

Category 2 – Support a London burial and cremation authority

- see and/or welcome as good/inevitable;
- frustrated at low priority given by boroughs to cemeteries;
- consider a London wide approach as the best way forward;
- will help resolve shortage of burial space;
- accept need for centralised expertise and better career structure.

Notwithstanding the possible bias of the respondents they generally gave substantive arguments, for and against the creation of a London burial and cremation authority, irrespective of the views expressed. This demonstrated a reasonable degree of objectiveness which is particularly important as the majority of respondents strongly support the proposed authority.

**General observations**

Although the report is presented in a structured style the various stages of the research work fed-off each other and were invariably completed over the same period of time. I found the use of section files and index cards invaluable for the keeping and retrieval of information and references. The use of introductions and summaries to each chapter focused the mind on keeping the report topic specific and relevant.

## **PART FIVE : A WAY FORWARD**

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### **Report Summary and Conclusions**

The current status and condition of London's municipal cemeteries and crematoria has been determined by political default, a political unwillingness to address strategically an highly sensitive public concern. There has never been any sustained attempt to control or co-ordinate the course of events that have led to the current state of affairs which this report finds to be unsatisfactory. Responsibility for the disposal of the dead transferred from the Established Church to the State during the nineteenth century by necessity in the interest of public health. Following the failure of the private sector's attempt to act as the provider of cemeteries, the Government acknowledged the need to take action and reluctantly accepted that the disposal of the dead would be best completed by the State. The decision to nationalize burial provision was quickly overturned and responsibility for providing cemeteries was given to local government in the form of burial boards. Since then, the State has shown no real interest in the burial of the dead and consecutive Governments have taken little or no interest in the service. This blasé approach, to what is essentially a fundamental public service, has resulted in a number of far reaching problems that the London boroughs, as burial and cremation authorities, have not been able to deal with. Several of these problems have reached a point of crisis viz. the shortage of burial space, particularly in central London; the loss and decline of the heritage and conservation value of historic cemeteries; and the inequality of burial and cremation fees across London.

When considered together, London's municipal cemeteries represent a major asset that provides valuable open space within the capital and one that is being under utilized and severely neglected. Annual net expenditure on the 138 municipal cemeteries and crematoria is less than £1 per head of London's population per annum. This expenditure represents only a quarter of the amount spent on the 7 Royal Parks. Death and the disposal of the dead are areas of municipal service that tend be avoided or at least ignored by politicians – cemeteries and crematoria are Cinderella services in political obscurity. However, as the Westminster cemetery scandal revealed, there is genuine

public concern about the care and treatment of their cemeteries – making the service sensitive to significant change. Clearly, the ill-conceived treatment of cemetery related services *can* be politically damaging.

Cemeteries and crematoria will continue to be lost within the structure of local government whilst they remain in their current state at the borough level. The £24 million spent each year on cemeteries and crematoria is insignificant in context of the £8 billion spent annually by London's councils and this, not surprisingly, tends to be reflected in how the service is treated. Although mortality faces us all, less than 1% of the population is affected by death at any one time and this statistic, coupled with the absence of any significant public concern about the role of the London boroughs as burial and cremation authorities, suggests that there is general satisfaction with the current arrangements. This is surprising when one considers the inequality in charging structures for burial and cremation in London and the complete absence of any financially sound charging rationale in the setting of fees: a situation that is exacerbated by the differentiation in the level of charges applied to residents and non-residents.

The treatment of municipal cemeteries as decreasing assets that are a financial liability is down to two main reasons. Firstly fees and charges have been set at unrealistically low levels for too long and, secondly, the failure to invest income from the sale of rights of burial (sold for up to 100 years in advance since 1974). These factors have undermined the financial viability of cemeteries. Such failings have occurred because the London boroughs have not taken a realistic and long-term view towards the provision, operation and management of municipal cemeteries as sustainable services. Fundamentally, cemeteries and crematoria have not been treated seriously as vital public services. The annual combined deficit of municipal cemeteries and crematoria could be eliminated through an average increase of £89 (current prices) per burial and cremation completed. This sum of money should be placed in context of the average total cost of a funeral in London, which amounts to £3,500 and £2,500 for burial and cremation respectively. There is a great deal of frustration amongst cemetery and crematorium managers at the continued reduction in resources and the decline in the infrastructure of burial and cremation facilities. Similar concern has been expressed by interest groups, social researchers and the London Planning Advisory Committee. On the one hand there is real

fear at the safety implications of unstable gravestones and on the other there is general concern at the deterioration of the historical integrity of London's municipal cemeteries – many of which date back to the nineteenth century.

The growth of cremation has delayed rather than avoided the problems facing cemeteries. In many ways cremation, which now accounts for 71% of the disposal of the dead in London, has contributed towards the chronic deterioration of municipal cemeteries by saving land and thereby delaying the inevitable decisions that need to be made before rather than after the capital's limited reserves of burial space are depleted. Although London is short of burial space there is no co-ordinated action being taken to address the problem. The boroughs have not demonstrated the capacity to act in a co-ordinated fashion as burial and cremation authorities – for example to bring-about legislative change for the reuse of old graves to their mutual benefit. Despite the fact that the boroughs are not legally obliged to provide burial space they appear committed to the provision of new cemetery space and this is evident in the continued ear-marking of valuable open space within London. This scenario is likely to result in new conflicts between the bereaved seeking to dispose of their dead by burial and residents who oppose the use of their open space for new cemetery space. Cemeteries and crematoria are now established cross-borough services that are operated on a parish-based mentality and, as a result, there is no co-operation between the boroughs in their capacities as burial and cremation authorities. With around a third of burial space being operated by boroughs outside their own boundaries and seven joint committees of various boroughs, strategic control is completely absent. There is no sense in the bereaved using a cemetery at some distance from their home in another borough whilst a more local cemetery is available. However, this situation arises due to the resident and non-resident charging practice applied by most London boroughs.

The involvement of 41 separate agencies in the running of municipal cemeteries and crematoria has inevitably created a fragmented approach to burial and cremation provision with unacceptable inconsistency in the quality of service, and no strategic London-wide approach toward the provision, planning, management and operation of cemeteries and crematoria. Within London, local government dominates as the provider of burial and cremation facilities but the arrangements for the control and management

of municipal cemeteries and crematoria is divided and ineffective in terms of long term strategic provision. Local government reforms in London have never adequately addressed the management and control of cemeteries and crematoria and consecutive London-wide governments, in the form of the London County Council and the Greater London Council, failed to recognize and act upon the need for a pan-London approach to the service.

Professionalism has not been facilitated by the historical or present structural arrangements for the provision and strategic management of cemeteries and crematoria in London. These factors have contributed to the gradual deterioration of the infrastructure of London's municipal cemeteries, the condition of which has reached crisis point. Whilst cemeteries and crematoria remain within the borough structures they will continue to be in competition with other front-line services that benefit from a higher political and social profile including housing, education and social services. There is an argument that if cemeteries deserve the attention of a London-wide authority, then other services should be treated in the same way. This argument is, of course, beyond the remit of this report. However, a clear case has been made for a London-wide approach to cemeteries and crematoria and in the event that a similar case can be made for other services then there may well be justification for their being treated in the same way.

The Government's Best Value initiative will affect all local government services, including cemeteries and crematoria. The most fundamental test under the Best Value regime is whether services should be provided and, if so, then by whom. Over the last 150 years commentators have set out the argument for the burial of the dead being a matter of civic concern. The one serious attempt to off-load such responsibility resulted in a disastrous experience for the Westminster City Council. The council is now extremely sensitive to any issues surrounding cemeteries to such an extent that the authority was not prepared to comment on the prospective London Burial and Cremation Authority proposed in Part Three of this report. The Best Value review process asks many of the questions raised in this report and offers an excellent opportunity to formally examine the way in which the boroughs operate as burial and cremation authorities and whether London would be better served by a single authority and/or



agency. However, this process would, in respect of cemeteries and crematoria, be better applied on a cross-borough basis. Best Value can only be achieved by change and that will only happen through the support of elected members and as this report has shown there is little evidence of any such interest in cemeteries and crematoria. An examination of the basic principles of good management and successful organizational structures would suggest that the involvement of 41 separate public agencies in the provision of municipal cemeteries and crematoria, operated on a cross-borough basis, will not be able to achieve 'best value'. Indeed, the evidence suggests that the myriad of problems facing burial and cremation as a public service in London is a manifestation of the current structure.

The London boroughs have taken steps, through the amalgamation of five London-wide committees into a reorganized Association of London Government. This has been done to strengthen their position with the new Mayor of London and elected Assembly. These changes should be considered in context of the ALG's expressed concern at the potential threat of existing services that are currently under borough control being transferred to the new Greater London Authority. The London Planning Advisory Committee has previously recommended that the possibility of a Greater London Authority taking on responsibility for the strategic planning for cemeteries and crematoria should be examined. The pressure for action is bound to increase as a range of chronic problems reach a critical phase – for example, as burial space runs out; cemeteries fall into greater dilapidation; and the need to address air pollution from crematoria in and around London takes hold. Despite this, the Government Office for London and the Secretary of State for the Department of the Environment, Trade and the Regions have previously rejected the idea of cemeteries and crematoria coming under the GLA. In addition, especially during the first term of office, the elected Mayor is likely to shy away from enlarging the GLA in fear of potential allegations of re-creating the Greater London Council.

The Royal Parks Agency provides a sound model for the provision of a pan-London 'open-space' service by a single organization. The Corporation of London's proposals to merge its four open space departments into one Open Spaces Department adds weight to the arguments in favour of the single-agency approach. The United Synagogue Burial Society has demonstrated that with prudent financial management and a single

coordinated approach it is possible to provide a financially sustainable cemetery service for a community.

The concept of a London Burial and Cremation Authority is supported by the majority of cemetery and crematorium managers with 71% in favour and 25% against the proposal. The authority would need to be relatively small and eleven is suggested as the optimum number of members needed to facilitate representation from the boroughs, the Corporation of London and the elected Mayor. The authority should take full responsibility for the control, co-ordination and strategic provision of London's municipal cemeteries and crematoria. This would require the London boroughs, the Corporation of London and the Royal Parks Agency to relinquish existing cemeteries and crematoria under their control, and would entail the winding up of the seven existing joint boards and committees (possibly requiring an Act of Parliament). The agency would need to be headed by a Chief Executive and all existing cemeteries and crematoria staff should be transferred under him or her in accordance with the requirements of the Transfer of Undertakings and Public Employees legislation. In considering the agency's structure, the authority and the Chief Executive should seek to ensure that the new organisation facilitates professional staff development and expertise in the management of cemeteries and crematoria. The benchmarking of services and a competitive environment may be achieved through the organisation of the municipal cemeteries and crematoria on a geographical basis putting them in one of four areas i.e. North-East; South-East; South West; and North-West. This would provide a practical and effective structure for the organization of the service into operational units that staff and service users could more readily relate to from a local perspective.

## MAIN CONCLUSION

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There are many and varied problems facing London's cemeteries and crematoria that are best tackled on a pan-London basis. This report makes a strong case for the establishment of a London-wide authority and agency responsible for municipal cemeteries and crematoria. Although the Greater London Authority would be the most appropriate organization to take on such a role, the Association of London Government is best positioned to take action and to facilitate the necessary change. A single authority responsible for meeting the boroughs' duties and responsibilities as burial and cremation authorities, possibly under the auspices of the ALG, offers the best opportunity to make this happen.

## Report Recommendations

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### ONE

The necessity or otherwise for a London Burial and Cremation Authority responsible for the provision, operation and management of all public cemeteries and crematoria provided for the people of London should be examined by an independent Review Committee established under the auspices of the Association of London Government (ALG):

- a) The Review Committee should consist of between 8 and 12 independent persons appointed by the ALG with a terms of reference that *excludes* private cemeteries and crematoria; burial facilities provided by independent organizations; public mortuary facilities and funeral directing.
- b) The Review Committee should be required to report within six months and their recommendations should address the following issues: the shortage of burial space within London; the viability of creating physically and financially sustainable cemeteries; the utilization of limited burial space on a pan-London basis; the management of old, abandoned memorials; the apparent inequality in burial and cremation fees and charges across London; the conservation of the historic landscape of cemeteries and crematoria; and the management and future planning for the control of pollution from cemeteries and crematoria.

### TWO

A pan-London approach to the provision, siting, operation and strategic management of cemeteries and crematoria should be placed within a single authority under the auspices of the ALG.

### THREE

The burial and cremation duties and responsibilities of the 41 separate agencies currently involved in the running of municipal cemeteries and crematoria should be transferred to a new single London Burial and Cremation Authority aided by an operational agency. The London boroughs, the Corporation of London and the Royal Parks Agency should

relinquish all existing cemeteries and crematoria under their control to the new authority. The seven existing joint boards and committees should be wound-up and incorporated into the new authority.

#### **FOUR**

The proposed London Burial and Cremation Authority should consist of eleven members – 8 appointed by the 32 London boroughs; 1 appointed by the Corporation of London; 1 appointed by the Mayor of Greater London; and 1 appointed by the elected Assembly of the Greater London Authority.

#### **FIVE**

The proposed London Burial and Cremation Authority should be autonomous and be given full responsibility for the control, coordination and strategic provision of London's municipal cemeteries and crematoria.

#### **SIX**

The London Burial and Cremation Authority should be required to produce a Strategic Plan incorporating the London Planning Advisory Committee's Burial Policy number 2 for sustainable cemeteries as follows:

##### **LPAC BURIAL POLICY 2 – STRATEGIC PRINCIPLES**

People should have the choice of burial or cremation.

The bereaved should not be penalised by high charges for burial.

Burial provision should be local to the population needing it.

Cemetery provision should respect the valuable roles of open space.

Cemetery management should maintain and improve historic features.

Cemetery management should maintain and improve natural assets.

## **SEVEN**

The London Burial and Cremation Authority should be required to:

- a) produce site specific management plans for each municipal cemetery and crematorium completed in consultation with key service stakeholders, English Heritage and the GLA's Ecology Unit and Planning Service;
- b) maintain a record of available burial space within the capital's metropolitan cemeteries and to be under a mandatory duty to plan and provide burial space;
- c) promote municipal cemeteries and crematoria as open spaces and to encourage their use for educational purposes;
- d) operate on a self-financing and not for profit basis with the power to determine and set fees and charges for services under its control; comply with the Government's Best Value requirements;
- e) establish a London Cemetery and Crematorium Agency under a Chief Executive with responsibility for the operational management of London's municipal cemeteries and crematoria.

## **EIGHT**

All existing municipal cemetery and crematorium staff should be transferred to the new London Cemetery and Crematorium Agency under the protection of the requirements of the Transfer of Undertakings and Public Employees.

## **NINE**

The London Cemetery and Crematorium Agency should establish cemeteries and crematoria on a geographical basis putting them in one of four areas i.e. North-East; South-East; South West; and North-West. These area units should be operated as semi-autonomous units managed corporately to facilitate benchmarking and the implementation of the Best Value regime.

## Main Programme Outcomes

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Articles to be published:

Association of London Government Newsletter – *'The need for a London Burial and Cremation Executive Agency'*;

Mortality Journal – *'Role of urban government in the disposal of the dead'*.

Journal of the IBCA – *'Rise, Fall and Resurrection of the Cemetery and Crematorium Professional'*.

Journal of the FBCA – *'The Case for Regional Crematoria Agencies'*

Journal of the International Cremation Society – *Strategic urban provision, operation and management of crematoria'*.

Address to:

Annual Conference of Burial and Cremation Authorities September 2000 – *The case for a regional approach to the provision of municipal cemeteries and crematoria.*

Death, Dying and Disposal Conference – September 2000 – *Burial and Cremation within the Metropolis.*

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**REVIEW OF LOCAL GOVERNMENT**  
**BURIAL AND CREMATION PROVISION IN LONDON**

**PROSPECTUS FOR PROPOSED MERGED STRUCTURE**

**INTRODUCTION**

This prospectus sets-out proposals for a new London-wide Cemetery and Crematorium Joint Committee established to provide, operate and maintain cemeteries and crematoria (hereafter referred to as the London Cemetery and Crematorium Committee) for the areas of the respective local authorities, and joint committees and joint boards thereof.

The proposed general powers and duties of the London Cemetery and Crematorium Committee are as contained under section 214 of the Local Government Act 1972, as amended, and schedules thereunder:

- To provide and regulate cemeteries under the Local Government Act 1972, and the Local Authorities Cemeteries' Order 1977 (as amended);
- To provide and maintain mortuaries;
- To undertake, if appropriate, the care and disposal of dead bodies;
- To carry out the statutory requirements regarding the registration of burials;
- To establish and administer crematoria.

You are asked to consider the following review of the current arrangements for the provision, operation, and management of cemeteries and crematoria in London, and to comment on the proposed London Cemetery and Crematorium Committee (LCCC). Your views may be given by replying to the questions set out on page 5 of this document.

***REASONS FOR REVIEW AND PRINCIPLES BEHIND THE PROPOSALS***

This prospectus proposes the establishment of a single London Cemetery and Crematorium Committee to replace the current borough arrangements (including the joint committees and joint boards) for the running of London's municipal cemeteries and crematoria.

The LCCC would be served by a single London Cemetery and Crematorium Agency responsible for the operation, administration and management of all the cemeteries and crematoria under the committee's control.

The recommendation to form the LCCC and a CCA is based upon the following key principles:

- The need to raise the profile and recognition of cemetery and crematorium provision in the public and political arena;
- The need to provide a strong, clear and influential voice (to be achieved through the amalgamation of relatively minor borough based services into a major pan-London service);
- The need for a London-wide perspective and strategic approach for burial and cremation provision;
- The need for boroughs to provide co-ordinated and complementary London-wide services in line with the Government's Best Value regime and the belief that this is more likely to be achieved by a single LCCC and the CCA.

### **An overview of the current provision**

Between them the London boroughs are responsible for 123 cemeteries (covering 1168 hectares) and 17 crematoria. In total these cemeteries and crematoria complete around 20,000 burials and 41,000 cremations each year. An estimated 17 million people attend funeral services at municipal cemeteries and crematoria in London.

In Greater London as a whole, cemeteries increase the public open space provision by around 7.8% and in inner London they constitute a 14% addition to open space. Most of these cemeteries were established between 1861-1890, and only four new cemeteries (covering 16 hectares) have been established in the past 40 years. Each year London needs 2 hectares of burial space for new graves and current projections suggest that inner London will run out of burial space for new graves within 10 years.

There are 8 private crematoria in London and considerable interest exists in extending this number with the construction of new crematoria located on the principle of competition within established markets, rather than accordingly to strategic planning based upon London's land and transport needs.

The boroughs employ 260 administration and operational staff in cemeteries and crematoria (excluding grounds maintenance staff / contractors).

Annual income and expenditure is as follows:

1997/98

	<u>Expenditure</u>	<u>Income</u>	<u>Deficit/(Surplus)</u>
Cemeteries	£17M	(£11M)	£6M
Crematoria	£ 7M	(£8.5M)	(£1.5M)
Total	£24M	(19.5M)	£4.5M

There is considerable disparity between the financial performance of the boroughs cemeteries and crematoria and, in particular, with the charging policies – for example, in 1998, the cremation fee ranged from £185 up to £248 and the purchase of a new grave and the first interment from £465 up to £1660.

### **The benefits to be gained from a single committee with an operational agency**

The new single committee would consolidate the needs and interests of Londoners, as users of cemeteries and crematoria, into a focused and significant representative entity with greater political influence than is possible under the current structure.

The new committee would take a pan-London strategic approach whilst addressing borough and cemetery specific issues. London would, for the time, have a single authority responsible for the Capital's cemeteries and crematoria.

The bringing together of all staff into one agency would create a specialist organisation a structure that would facilitate greater career and professional development opportunities.

The amalgamation of services would result in economy of scale in a wide range of areas including: grounds maintenance; the purchase of service specific supplies and equipment; the purchase and maintenance of capital items i.e. cremators and excavators; and information technology/e-business development.

The implementation of sustainable development i.e. the reuse of graves and the management of old, abandoned memorials could be pursued far more effectively through a single committee.

An equitable pan-London pricing policy would be possible.

The new committee and the proposed agency would be managed on a self-financing and not-for-profit basis. This would remove the financial burden placed disproportionately upon local taxation whilst ensuring the provision of a social-minded agency responsible for the provision of an essential public service.

### **The proposed structure of the London Cemetery and Crematorium Committee**

The LCCC would be formed by a merger of the burial and cremation functions completed by the London boroughs, joint committees and boards and the Court of Common Councils (from now on collectively referred to as the London boroughs). The LCCC would consist of 33 elected representatives: one from each of the London boroughs. The representatives should initially be drawn from those serving on existing committees responsible for the cemetery and/or crematoria service for the respective borough (ideally the chairperson).

The LCCC would have three sub-committees, each with 11 members:

Cemetery Committee  
Crematorium Committee  
Policy and Resource Committee



The LCCC should establish local consultative committees (the existing joint committees and boards provide an excellent format) to ensure a channel for local representation and views. The number of these committees (to be decided by the LCCC) would be influenced and possibly determined by representation for their formation.

### **The proposed structure of the London Cemetery and Crematorium Agency**

All staff would be employed by the new LCCC under a Chief Executive. Area Directors would be responsible to the three sub-committees under the direction of the Chief Executive. All existing staff would transfer to the new employer under TUPE and subject to a new LCCA salary and conditions structure. The detail of such proposals would be determined by the LCCC in conjunction with the LCCA Chief Executive and in negotiation with all respective staff and unions.

### **Funding and Financial Regulations**

The LCCC and the LCCA would be operated on a self-financing basis. Any boroughs wishing to subsidise burial and/or cremation fees for their residents would be able to do so. Financial regulations for the LCCC and the LCCA would be prepared in line with Local Government standards. The cost of the proposed LCCC and the LCCA would be more than the current expenditure of the respective authorities.

### **Property and location**

All cemeteries and crematoria would be passed to the LCCC. The core of the LCCA would be based in a single building at a central location, where, ideally, meetings of the LCCC would be held.

## **CONSULTATION QUESTIONS**

Do you agree with the proposition that:

1. The functions currently carried out by the London Boroughs as Burial and Cremation Authorities should be undertaken within one structure e.g the proposed London Cemetery and Crematorium Committee?
2. The London Cemetery and Crematorium Committee should provide political and managerial leadership for those functions?
3. The London Cemetery and Crematorium Committee should optimise boroughs' individual and collective interests as Burial and Cremation Authorities with the Government and the proposed elected Mayor and Greater London Authority?
4. The constitutional structure of the proposed London Cemetery and Crematorium Committee should be based upon equal representation from the London boroughs?
5. The cemetery and crematorium staff of the existing London boroughs should become employees of the London Cemetery and Crematorium Committee with a single Chief Executive?

6. The newly elected Mayor for London should be invited to be a member of the London Cemetery and Crematorium Committee?
7. The GLA Assembly should be invited to nominate one representative to be a member of the London Cemetery and Crematorium Committee?
8. What effect, if any, do you feel that these proposals would have on the provision, management and operation of cemeteries and crematoria in London? Please write overleaf or use a separate sheet.